

**MINUTES OF THE
REGULAR MEETING HELD
April 18, 2016**

The regular meeting of the Butler Township Board of Commissioners was held on April 18, 2016 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. James Lokhaiser, Jr.

Also present were Manager Ed Kirkwood, Solicitor Larry Lutz, Zoning Officer Jesse Hines, Superintendent of Public Works Thomas Knights and Township Engineer Dan Deiseroth.

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

Commis. Zarnick asked if there were any corrections or additions to the minutes of the March 21, 2016 meeting. There being none, the minutes will stand as presented.

Commis. Zarnick noted receipt of the monthly Road Department, Police Department, Treasurer and Fire/Zoning reports.

Commis. Nedz had nothing to report.

Commis. Lokhaiser reported that Butler Township hosted the Tree Tenders Workshop presented by the Penn State Extension Office on April 8th at the Park Rental Building. About thirty people attended this workshop. The extension donated a flowering dogwood tree to the township which was planted during the workshop.

Commis. Lokhaiser reported that there will be a Fire Commission meeting at the township building at 6:30 PM on Wednesday, April 20th. There are currently five applications for new membership to the fire departments that will be discussed at Wednesday's meeting.

Commis. Lokhaiser reported that there are still tickets available for the Sportsman's Raffle held by the Fireman's Association.

Commis. Lokhaiser reported that he attended the Preston Park Advisory Board meeting held last week. Plans are being made to have restrooms constructed at Preston Park in the near future. Work will also begin on a picnic shelter at Preston Park. It will be constructed by an Eagle Scout Candidate. The township has agreed to install the concrete slab for the shelter, as well as, run the conduit for future water and electricity to the site.

Commis. Lokhaiser reported that he attended the Library Board meeting. He reported on the Library Fun Run/Walk held on April 2nd. There were 270 participants in this event and they raised about \$4,000.00 for the library.

Commis. Zarnick commented that the Preston Park Advisory Board is waiting on the go ahead from the board to proceed with plans for the restrooms at Preston Park. Manager Kirkwood stated that board approval is not needed for the advisory board to do the necessary

research for this project. Once all of the options have been researched the board will then make a decision on the final plan. Commis. Lokhaiser will advise the Preston Park Advisory Board of this discussion.

Commis. Zurzolo reported on the Recycling Committee meeting held on March 28th. The committee recommended holding a Recycling Event for township residents on July 9th from 9:00 AM to 1:00 PM, with a rain date of July 23rd. They recommended that electronic and household hazardous waste be collected at this event. ECS&R will charge forty-five cents per pound for these items. They also requested, with the passing of Act 108 which eliminated grant money towards electronic recycling for items with CRT glass, that the township will pay twenty-five cents per pound for these items, with the residents paying twenty cents per pound.

Commis. Wiest had nothing to report.

Solicitor Lutz had nothing to report.

Engineer Deiseroth reported on the storm sewer projects. Township Line work will begin once the weather breaks and Cupps Road work will begin once school is out for the year. The contractor was also presented with a punch list for the jobs already underway. This list will need to be completed before new work begins. He also presented a payout request for the work that was completed on Colleen Street in the amount of \$52,733.70 and recommended approval.

Zoning Officer Hines reported on the Department of Labor and Industries five year audit of the township's Building Department. Copies of the report were distributed to the commissioners.

Zoning Officer Hines requested that an item be added to the agenda for this meeting. He requested that Fire Marshal Larry Christy, who is also our Emergency Management Coordinator, be authorized to attend the Emergency Management Conference to be held at Seven Spring Resort from May 14-18, 2016. The total cost of this training is \$50.00 for Emergency Management Coordinators.

Public Works Superintendent Knights reported that street sweeping was conducted last week with ninety-one roads completed.

Commis. Zarnick reported that he attended the State Association of Township Commissioners meeting for April. The major topics of discussion were the new mandates for executive sessions; the local use of radar in speed enforcement; and the elimination of the registration stickers on license plates. He also commented on the Lions Road Bridge issue and at this time the issue has not been resolved.

Manager Kirkwood reported that Butler Township now has its first assistant manager. He reviewed the steps taken in the hiring process and reported that Cheryl McNeill, a Butler Township Resident, was offered the position. We welcome Cheryl to the Butler Township family and staff.

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

Zoning Officer Hines presented the Bright Hope Community Church Land Development Plan. The Planning Commission recommended approval of this land development contingent upon the granting of a modification allowing grading within five feet of the property boundary, the granting of a modification to allow the detention system to not include an emergency spillway, compliance with Gateway Engineers' letter dated April 4, 2016, posting of financial security in an amount and form acceptable to the Township Solicitor, and an executed developer's agreement. He recommended approval.

Paul Hoover, Bright Hope Community Church, stated that they have a signed statement from the adjacent property owner, Derrick Craig that he is in agreement to the modification requests. He stated that the church has also agreed to the installation of a privacy fence along the parking area so that the adjacent property owners will not have to view their parking lot.

Engineer Deiseroth presented additional information on the land development concerning the parking area and storm water issues. Based on his review of the stormwater plan, he recommends the modification to allow the detention system to not include an emergency spillway. All of the technical requirements of the land development ordinance have been met and he recommended approval of the plan based on contingencies being met.

Motion by Commis. Nedz to grant a modification from Butler Township Codified Ordinance, Chapter 252-37(L) to allow grading within 5 feet of the property boundary. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Nedz to grant a modification from Butler Township Codified Ordinance, Chapter 242-21 to allow the detention system to not include an emergency spillway. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis Nedz to pass Resolution 16-17, granting final approval of the Bright Hope Community Church Land Development contingent upon:

1. Compliance with Gateway Engineers' letter dated April 4, 2016,
2. Posting of financial security in an amount and form acceptable to the Township Solicitor, and
3. Executed Developer's Agreement

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

Zoning Officer Hines presented the ninety day extension request by Keelan Land Development. He recommended approval.

Motion by Commis Nedz to pass Resolution 16-18, extending the Keelan final approval until July 18, 2016. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented the ninety day extension request by Keystone Ridge. He recommended approval.

Motion by Commis. Nedz to pass Resolution 16-19, extending the Keystone Ridge final approval until July 18, 2016. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Zoning Officer Hines informed the Board that Mark Swift has resigned from the Planning Commission due to the fact that he has moved out of the township. He expressed his appreciation of the service that Mr. Swift gave to the township. He stated that Fred Vero has submitted a letter to the township expressing his interest in serving on the Planning Commission and recommended approval of his appointment.

Motion by Commis. Nedz to appoint Fred Vero of 123 Germaine Road, Butler, PA 16001 to the Planning Commission to complete the unexpired term of Mark Swift to expire July 2019. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Zoning Officer Hines stated that Kim Christie's term on the Planning Commission is set to expire in July of 2016 and she has submitted a letter expressing her interest in reappointment to the commission. He recommended her re-appointment.

Motion by Commis. Nedz to re-appoint Kim Christie to the Planning Commission for a four year term to expire July 2020. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood 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 16-20, authorizing the disposition of public records, as presented. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Zurzolo: Yes; Wiest: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented for the record the notice of abstention from Commis. Wiest for agenda item nine, 2016 Road Paving Project. Manager Kirkwood opened the bids for the 2016 Road Paving Project. The following three bids were received:

Bidder's Name	Bid Bond	Bid Price	Bid Price – Option 1 – 9mm SRL Type G	Mix Design Submitted
Protect Asphalt Inc.	Yes	\$399,275.30	\$307,767.60	Yes
Wiest Asphalt Products	Yes	\$342,746.32	\$235,870.20	Yes
Youngblood Paving Inc.	Yes	\$315,186.60	\$240,366.00	No

Motion by Commis. Zarnick to table the bids on the 2016 Road Paving Project for review and recommendation. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Abstain; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood opened the bids for the 2016 Seal Coat Project. The following two bids were received:

Bidder's Name	Bid Bond	Bid Price
Russell Standard	Yes	\$143,824.92
Suit-Kote-Meadville	Yes	\$137,566.22

Motion by Commis. Zarnick to table the bids on the 2016 Seal Coat Project for review and recommendation. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood opened the bids for the N-12 Pipe. The following three bids were received:

Bidder Name	Bid Bond	12" Dia. Pipe Bid Price Each (x900)	15" Dia. Pipe Bid Price Each (x200)	18" Dia. Pipe Bid Price Each (x280)	30" Dia. Pipe Bid Price Each (x560)	36" Dia. Pipe Bid Price Each (x1,320)	36" X 30" Tee Fitting Each (x6)	36" X 12" Wye Fitting (x4)	Bid Total
Chemung Supply	Yes	\$4.55	\$6.50	\$8.65	\$20.00	\$24.90	\$905.00	\$525.00	\$59,415.00
Culverts Inc.	Yes	\$4.50	\$6.40	\$8.55	\$19.85	\$24.90	\$773.00	\$447.00	\$58,134.00
Interstate Pipe	Yes	\$4.46	\$6.34	\$8.47	\$19.65	\$24.65	\$874.82	\$505.92	\$58,468.20

Motion by Commis. Zarnick to table the bids for the N-12 Pipe for review and recommendation. Seconded by Commis Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zamick: Yes. Motion carried.

Manager Kirkwood requested authorization to advertise for bids to sell two excess police cars: a 2012 Chevrolet Impala and a 2013 Ford Interceptor. The excess Road Department equipment that was previously authorized to be advertised for bids will be included in this advertisement.

Motion by Commis. Zurzolo to authorize the advertising for bids for two excess police cars, as presented. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Zarnick presented the request by Chief John Hays to authorize the donation of thirteen unclaimed bicycles recovered by the police department. Commis. Zarnick requested that the bicycles be donated to Dave Krack, who runs a program in Butler where children who are in need of a bicycle are taught care and maintenance of the bicycle and then at the end of the program are given the bicycle. The township has donated bicycles to this program in the past.

Motion by Commis. Zarnick to authorize the donation of the thirteen unclaimed bicycles. Seconded by Commis Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Solicitor Lutz presented the introduction to proposed Amendments to the Manager's Ordinance pertaining to the Assistant Mangers responsibilities. The ordinance amendment will be advertised. The ordinance will be on the agenda for next month's meeting for approval.

Motion by Commis. Zarnick to introduce the Amendments to the Manager's Ordinance. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Zarnick to authorize Fire Marshal Christy's attendance at the Emergency Management Conference and Training at a cost of \$50.00. Seconded by Commis. Nedz.

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.

Engineer Deiseroth recommended payment No. 3 for Butler Township Storm Sewer Project for the work on the Colleen Street to R & B Construction in the amount of \$52,733.70.

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

Motion by Commis. Lokhaiser to authorize payment No. 3 for Butler Township Storm Sewer Project for the work on Colleen Street to R & B Construction in the amount of \$52,733.70. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Zurzolo setting an amount of twenty-five cents per pound for Butler Township to pay towards the cost of CRT recycled materials collected at the next township recycling event, with residents paying the remaining twenty cents per pound for these items. Seconded by Commis Nedz.

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.

Manager Kirkwood reviewed the bills report and the following totals were noted: General Fund - \$199,770.10; Stormwater Capital Fund - \$4,615.75; Capital Equipment Fund - \$29,203.00; Highway Aid Fund - \$26,411.28; General Fund (added after March Bills Report) - \$6,925.19; Stormwater Capital Fund (paid after March Bills Report) - \$82,350.00; Payroll Fund (prior month) - \$239,559.22.

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

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

Mark Krenitski, 139 Winterwood Drive, commented that he purchased property at 248 Wintergreen Drive. He has since removed the mobile homes and demolished the house that was on the property. The only remaining building is a garage. His issue is that he continues to receive a garbage bill at this address even though there is no residence. Vogel will credit his account each quarter but he has to continue to call each quarter. He was informed by Vogel that because the property has a township address they cannot remove it from their computer system. The computer will generate a bill each quarter. Manager Kirkwood stated that he will look into the issue further.

Mr. Krenitski also commented on the cost of the composting restroom at Alameda Par. He would also like the sewer authority to simplify their hook up service and to see more people on the sewer system.

Jeff Lions, Suit-Kote, asked when the bid results will be announced. Manager Kirkwood stated that the bids will be reviewed by the Public Works Superintendent and the contract will be awarded at the May 2nd Commissioners meeting.

Questions were taken from the media.

Motion was made by Commis. Lokhaiser to adjourn the meeting at 7:45 PM, seconded by Commis. Zurzolo and carried unanimously.

Theresa Gusler