

**MINUTES OF THE
REGULAR MEETING HELD
June 1, 2015**

The regular meeting of the Butler Township Board of Commissioners was held on June 1, 2015 at 6:30 p.m. at the Butler Township Municipal Building, 290 S. Duffy Road, Butler, PA 16001. The following Commissioners were present: Pres. Joe Hasychak, Vice-Pres. Dave Zarnick, Commis. Joe Wiest, Commis. Sam Zurzolo and Commis. Charles M. Nedz. Pres. Hasychak called the meeting to order followed by a moment of silence and the pledge of allegiance to the flag.

Also present were Manager Ed Kirkwood, Solicitor Rebecca Black, Chief John Hays and Superintendent of Public Works Tom Knights.

Commis. Hasychak asked if there were any corrections or additions to the minutes of the May 18, 2015 meeting. There being none the minutes will stand as presented.

Commis. Hasychak noted receipt of the monthly reports for the Treasurer, Police and Road Departments.

Commis. Zarnick reported that he, Commis. Zurzolo and Commis. Hasychak participated in the Memorial Day Parade in Butler.

Commis. Zarnick reported that the Monday Morning Maintenance Crew were at work again at Preston Park.

Commis. Zarnick reported that the latest edition of the newsletter will be delivered soon. He called attention to the information on the fire department costs.

Commis Zarnick reported that the next Chicken Barbeque fundraiser for Butler Township Volunteer Fire District 3 will be held on June 28th.

Commis. Zarnick commented on recent letters to the editor about the proposed amendments to the Zoning Ordinance that pertain to oil and gas drilling.

Commis. Wiest reported on the work that was completed by the Road Department last month.

Manager Kirkwood reported on the progress to get approval for the Recycling Event.

Commis. Zurzolo reported that the township will not be accepting computers or televisions at the next recycling event.

Commis. Zurzolo reported that Mark Krchnak has resigned from the Recycling Advisory Committee. He thanked Mr. Krchnak for his service. The board will need to fill this appointment.

Commis. Zurzolo commented on the flag that was flying on Main Street during the Memorial Day Parade.

Commis. Hasychak reported that he, Commis. Zarnick and Commis. Zurzolo attended the Butler County Association of Township Officials Conference.

Commis. Hasychak commented on the letter to the editor written by Joseph McMurry.

Chief Hays reported on the recent break-ins in the township and the steps that have been taken to help prevent them.

Chief Hays presented information on a request from the owner of the Rock Ann Haven Bar at 141 Greenwood Drive to have Butler Township assume responsibility for policing the noise levels on the property based on the township noise ordinance, instead of the Liquor Control Board (LCB), which has a zero tolerance policy for noise at the property line. He stated that complaints from residents have been made against the establishment.

Commis. Hasychak asked for comments from residents who live near the Rock Ann Haven Bar.

Fugi Sisca, 140 Greenwood Drive, commented on the noise from the Rock Ann Haven Bar. She presented a log noting the times when they could hear the music from the establishment. She is concerned about the LCB losing its authority to site the establishment for noise violations.

Resident, 140 Greenwood Drive, commented that he believes that the bar is a nuisance.

Motion by Commis. Hasychak to table the decision whether Butler Township will become exempt from the LCB noise requirement, seconded by Commis. Nedz.

Commis. Hasychak asked for public comment on this non-agenda item.

Mark Krenitski, 139 Winterwood Drive, commented on the noise from the motorcycles coming from the bar.

Manager Kirkwood asked Chief Hays about regulations regarding motorcycle noise. Chief Hays stated that as long as the motorcycle is inspected it is in accordance with the law. A discussion followed. This item will be put on the next meeting agenda.

Motion passed unanimously.

Public Works Superintendent Knights reported that the new tractor is in service.

Manager Kirkwood reported that an associate of Felice Associates has interviewed Chief Hays, the police clerks, and Public Works Superintendent Knights in

regards to the time study to determine proper staffing. The Road Department secretary will be interviewed this week. Once the interviews are completed a report will be issued which will be presented to the board.

Manager Kirkwood reported that two large dump trucks will need to be replaced and presented his recommendations for replacements. A discussion followed.

Manager Kirkwood requested approval to seek out an independent third party consultant who can present to the board the geology behind gas drilling, so that the board will have an opportunity to know whether the proposed zoning amendment is accurately reflecting the drilling availability within the township.

Motion by Commis. Nedz to authorize Manager Kirkwood to consult with a geologist to seek his opinion what the proper methodology is to determine the lateral drilling at a well site, seconded by Commis. Zarnick. A discussion followed.

Commis. Hasychak asked for public comment of this non-agenda item.

Dennis Gaggini, 606 Tudor Drive, commented on the diligence of the manager and the board in regards to the oil and gas drilling issue and stated his appreciation.

The motion passed unanimously.

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

A discussion was held on the request from the Allegheny Aquatic Alliance for assistance in the 2015 Connoquenessing Creek clean-up in Butler Township.

Motion by Commis. Wiest to authorize one operator and one truck to be used on August 29 and September 12, 2015 to assist the Allegheny Aquatic Alliance in the 2015 Connoquenessing Creek clean-up in Butler Township, seconded by Commis. Zurzolo. A discussion followed. The motion carried unanimously.

Manager Kirkwood presented a list of Police Department documents to be destroyed according to the retention manual. It was verified that these documents do not need to be retained for historical purposes.

Motion by Commis. Zurzolo to pass Resolution 15-15, to authorize the destruction of the police records as presented, seconded by Commis. Nedz and carried unanimously.

Commis. Zurzolo presented information on the request for Patrolman Jonathon Schaffner to attend the Police Response to Active Shooter Instructor training.

Motion by Commis. Zurzolo to authorize Patrolman Jonathon Schaffner to attend the Police Response to Active Shooter Instructor training on August 3 – 7, 2015 at a cost of \$769.00, seconded by Commis. Nedz and carried unanimously.

Manager Kirkwood opened the bids for the 2015 Storm Water Projects. They were as follows:

Contractor	Bid Bond	Base Bid 1 Township Line Road Storm Water	Base Bid 2 Duffy Road Storm Sewer	Base Bid 3 Colleen St Storm Sewer	Base Bid 4 Bessemer Rd Storm Sewer	Base Bid 5 Cupps Road Storm Sewer	Base Bid 6 Alameda Rd Storm Sewer	Alternate Base Bid 1 Township Line Road Storm Sewer	Alternate Base Bid 2 Township Line Road Storm Sewer	Total Base Bids
Gregori Construction, Inc.	Yes	\$63,100.00	\$19,020.00	\$122,115.00	\$144,700.00	\$513,335.00	\$100,465.00	\$9,000.00	\$9,000.00	\$962,735.00
Martino, Inc.	Yes	\$69,100.00	\$17,175.00	\$102,175.00	\$92,011.00	\$395,861.00	\$84,595.00	\$15,995.00	\$16,365.00	\$760,917.00
R & B Contracting & Excavation, Inc.	Yes	\$68,250.00	\$24,000.00	\$84,170.00	\$109,850.00	\$320,050.00	\$83,650.00	\$4,500.00	\$4,500.00	\$689,970.00

Motion by Commis. Wiest to table the bids for the 2015 Storm Water Projects for review, seconded by Commis Zarnick and carried unanimously.

Manager Kirkwood stated for the record that Commis. Wiest has complied with the statute regarding abstaining on votes for agenda items five and six.

Manager Kirkwood reviewed the bids for the 2015 Road Resurfacing Project.

Motion by Commis. Zurzolo to award the 2015 Road Resurfacing contract to Wiest Asphalt Products and Paving, Inc., the lowest responsible bidder meeting specifications, at a cost of \$245,915.20, seconded by Commis Nedz and carried unanimously, with Commis. Wiest abstaining.

Manager Kirkwood reviewed the bids for the 2015 Greenwood Bridge Rehabilitation Project.

Motion by Commis. Zurzolo to award the 2015 Greenwood Bridge Rehabilitation Project to Wiest Asphalt Products and Paving, Inc., the lowest responsible bidder meeting specifications, at a cost of \$54,751.00, seconded by Commis. Nedz and carried unanimously, with Commis. Wiest abstaining.

Manager Kirkwood presented information on the 2015 Road Seal Coat Project, noting that there was an error in the multiplication factor in regards to the square yardage and recommended rejecting all the bids.

Motion by Commis. Wiest to reject all bids received for the 2015 Road Seal Coat Project due to a mathematical error by the township, seconded by Commis. Nedz and carried unanimously.

Motion by Commis. Wiest to authorize the drafting of specifications and advertising for the 2015 Road Seal Coat Project, seconded by Commis. Nedz and carried unanimously.

Manager Kirkwood presented information on the Affordable Health Care Act Seminar presented by Delaware Valley Health Trust and requested authorization to attend.

Motion by Commis. Hasychak to authorize Manager Kirkwood to attend the Affordable Care Act Seminar on June 10, 2015 in Cranberry Township, seconded by Commis. Nedz and carried unanimously.

Manager Kirkwood presented information on the Home Depot assessment appeal.

Motion by Commis. Zarnick to approve the Home Depot Change in Assessment, seconded by Commis. Nedz and carried unanimously.

Manager Kirkwood read the correspondence from the family of former Butler Township Commissioner Paul Langland. Commis. Hasychak spoke of his time working on the board with the former commissioner.

Commis. Hasychak asked for public comment by township residents and taxpayers on any item of concern.

Roxann Burke, 129 Westwood Manor, commented on two sections of the road in Westwood Manor that needs repaired. Public Works Superintendent Knights stated that he is aware of the issues and that they were due to work being done by the water company. The water company will be responsible for the repairs.

Questions were taken from the media.

Commis. Zarnick commented that the Jeep Parade is scheduled for June 12th.

Commis. Zurzolo commented that June 14th is Veteran's Day at the Kelly Automotive Ball Park.

Commis. Zarnick commented that June 14th is Flag Day and there will be a ceremony at the monument in Lyndora. Commis. Hasychak will be a speaker.

Manager Kirkwood recommended moving the discussion on the Liquor Control Board noise exemption to the July 6th meeting due to the absence of two of the commissioners and the Chief of Police at the June 15th meeting.

Motion by Commis. Nedz to adjourn the meeting at 7:59 p.m., seconded by Commis. Zurzolo and carried unanimously.

Theresa Giesler