

**MINUTES OF THE  
REGULAR MEETING HELD  
July 17, 2017**

The regular meeting of the Butler Township Board of Commissioners was held on July 17, 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 Edward Kirkwood, Asst. Manager Cheryl McNeill, Solicitor Rebecca Black, Zoning Officer Jesse Hines, Superintendent of Public Works Thomas Knights, Police Chief John Hays and Township Engineer Dan Deiseroth.

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.

Ryan Saeler, Butler Radio Network, 1 High Street, Pittsburgh, PA.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the June 19, 2017 meeting. There being none, the minutes will stand as presented.

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

Commis. Zurzolo reported on the recent flooding in the township and thanked all who are participating in the clean-up.

Commis. Zurzolo commented in the recent route changes in the township made by the Butler Transit Authority.

Commis. Zarnick also commented on the route changes. He stated that the changes will take effect in September and will affect the residents of Byre Mor Court and Park Manor Apartments. The bus will also not service the Kohl's Shopping Center. Those customers will need to catch the bus at Panera Bread. He asked for direction from the Board on how to proceed. A discussion followed. Commis. Zarnick suggested having a Transit Authority member attend a Commissioner meeting to discuss the issue. He also suggested that the other commissioners reach out to the Butler Township representatives on the Transit Authority Board to discuss the issue.

Commis. Lokhaiser reported that there will be a Fire Commission meeting on Wednesday, July 19<sup>th</sup>.

Commis. Lokhaiser reported that there were 25 fire calls responded to by Station 3 and Station 6 during the flooding of July 5<sup>th</sup>. They did an excellent job pumping basements and clearing debris from the roadways.

Commis. Lokhaiser reported that Don Orwald Productions will be presenting a play at Preston Park on August 5<sup>th</sup> and 6<sup>th</sup> which will tell the story of the Bantam Jeep. Hob nob theatre will also be performing their Shakespeare in the Park on August 12<sup>th</sup> & 13<sup>th</sup> and 19<sup>th</sup> & 20<sup>th</sup> at Preston Park.

Commis. Nedz had nothing to report.

Chief Hays had nothing to report.

Public Works Superintendent Knights reported on the closure of Delmont Road and the possibility of a single lane opening in the near future.

Asst. Manager McNeill expressed appreciation to the Road Department and the Buildings & Ground Department for their assistance with the flood clean-up in the township.

Zoning Officer Hines had nothing to report.

Township Engineer Deiseroth reported that they have been assisting the Manager Kirkwood and Public Works Superintendent Knights in assessing the flood damage to Delwood Road and the Whitestown Road area. They also have a permit in for Greenwood Drive for a streambank stabilization.

Solicitor Black had nothing to report.

Commis. Wiest commented on the damage to Delwood Road from the flood waters.

Manager Kirkwood reported on the rainstorm of July 5<sup>th</sup>. Most of the damage in the township was sustained in the Lyndora area, on the west side of Whitestown Road. Through the efforts of the township employees and the generous donation of materials, equipment and manpower by Fossil Rock Services, they were able to remove all of the debris from the west side of the waterway down to Hansen Avenue. Fossil Rock Services also spent time clearing debris from the resident's homes and yards. Manager Kirkwood reported that he has been working with the Township Engineer and the DEP to get permitting to finish the clean-up of the creek bed. Total cost of the damages has not been determined. He will be in contact with PEMA again once those totals are available to see if funding is available.

Commis. Zarnick commented on the township response to the flooding in the township and acknowledged the commissioners, Administration, Zoning Department, Fire Marshal, Road Department, and Buildings and Grounds Department who stepped up to help clean up the debris and damage that was created by the flood waters. He noted that local government does work. He also acknowledged the private groups that came to assist with the clean-up.

Commis. Zarnick introduced Judge Shaffer, who was present to conduct the swearing in ceremony for the recent sergeant promotions.

Judge Shaffer conducted the oath to swear in Sergeant Thomas Vensel.

Judge Shaffer conducted the oath to swear in Sergeant James Sasse.

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

Zoning Officer Hines presented information on the Henry Subdivision. The referenced Subdivision Plan is located at the intersection of Autumn Drive and Murphy Lane in the R-1 (Single Family Residential) Zoned District. The plan proposes to consolidate two existing lots into one lot. He recommended approval. The solicitor and township engineer had no objections to the plan.

Motion by Commis. Nedz to grant final approval of the Henry Subdivision. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

George Aubrey, 157 Aubrey Drive, presented information on the G. Aubrey Subdivision. The referenced Subdivision Plan is located off Mercer Road / Aubrey Drive in the R-2 (Multifamily Residential) Zoned District. Zoning Officer Hines presented additional information. The plan proposes lot line revisions and consolidations. He recommended approval. The solicitor and township engineer had no objections to the plan.

Motion by Commis. Nedz to grant final approval of the G. Aubrey Subdivision. 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 McCarrier Subdivision. The referenced Subdivision Plan is located off Evans Road in the A-1 (Agricultural) Zoned District. The plan proposes lot line revisions and consolidations. He recommended approval. The solicitor and township engineer had no objections to the plan.

Motion by Commis Nedz to grant final approval of the McCarrier Subdivision. 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 Bright Hope Community Church. He recommended approval.

Motion by Commis. Nedz to pass Resolution 17-15, extending the Bright Hope Community Church final approval until October 16, 2017. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the request by St. Peter and Paul Ukrainian Orthodox Church for approval to close a portion of Evergreen Road in Lyndora on July 29, 2017 between 7 a.m. and 3:00 p.m. during their Flea-tique. A discussion followed.

Motion by Commis. Zurzolo to authorize a portion of Evergreen Road to be closed on July 29, 2017 from 7 a.m. and 3:00 p.m. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the request by Benbrook Medical Holdings for a waiver of the penalty and interest due for late filing of their Business Privilege Tax in 2017.

Motion by Commis. Lokhaiser to deny the request for a waiver of the penalty and interest due for late filing of their Business Privilege Tax. Seconded by Commis. Nedz. The

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

Manager Kirkwood presented the request to draft specifications and advertising for the Traffic Signal Maintenance Contract.

Motion by Commis. Zarnick authorize the drafting of specifications and advertising for the Traffic Signal Maintenance Contract. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented the request for approval to make application for a DCNR Grant for constructing restrooms at Preston Park.

Motion by Commis. Lokhaiser to approve applying for a DCNR Grant for the construction of restrooms at Preston Park. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the proposed Credit Card Use Policy for approval.

Motion by Commis. Zarnick to adopt the Credit Card Use Policy as presented. Seconded by Commis. Nedz. Manager Kirkwood gave an explanation for why the township needs a credit card. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Zarnick to pass Resolution 17-16, Destruction of Civil Service Records prior to 2016. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis Nedz to reappoint Brenda Collins of 333 Whitestown Road to the Planning Commission for a 4-year term to expire July 2021. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Nedz to reappoint Sam Zurzolo of 212 Greenwood Drive to the Planning Commission for a 4-year term to expire July 2021. Seconded by Commis. Wiest. Commis. Wiest thanked Commis. Zurzolo for all of his volunteer work. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Abstain; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the final easement and maintenance agreement that was drafted for the Pearl Osche/Preston Park easement request. The easement request was approved at the June 19<sup>th</sup> meeting contingent upon final approval of the terms and conditions of the agreement by the township solicitor. The easement agreement has been reviewed and approved by Solicitor Lutz. The Township will need to execute the agreement.

Manager Kirkwood reviewed the bills report and the following totals were noted: General Fund - \$120,331.83; Highway Aid Fund - \$41,353.05; Park Development Fund - \$2,114.38; General Fund (added after June Bills Report) - \$17,711.26; Highway Aid Fund (added after June Bills Report) - \$225.00; Park Development Fund (added after June Bills Report) - \$3,675.00; Payroll Fund (prior month - three pay periods) - \$379,741.60. A discussion followed.

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

*There was no correspondence.*

*Commis. Zarnick asked for public comment on any item of concern. There was none.*

*Questions were taken from the media.*

*Commis. Zarnick reported that the Township will be participating in the National Night Out on Tuesday, August 1, 2017 at 6:00 p.m.*

*Motion was made by Commis. Nedz to adjourn the meeting at 7:22 p.m., seconded by Commis. Lokhaiser and carried unanimously.*

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