

**MINUTES OF THE
REGULAR MEETING HELD
July 20, 2015**

The regular meeting of the Butler Township Board of Commissioners was held on July 20, 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, and Commis. Charles M. Nedz. Commis. Sam Zurzolo was absent. 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, Engineer Dan Deiseroth, and Zoning Officer Jesse Hines.

Pres. Hasychak asked if there were any corrections or additions to the minutes of the July 13, 2015 special meeting. There being none, the minutes will stand as presented.

Pres. Hasychak noted receipt of the monthly report for the Fire/Zoning Departments.

Commis. Zarnick reported the Butler officially holds the Guinness World Record for the longest jeep parade with 2,420 jeeps. Thirty-eight states were represented along with Canada.

Commis. Zarnick reported on the Eagle Scout project being done by Jonathan Maines. He is painting the 496 fire hydrants in Butler Township.

Commis. Zarnick commented on the article in the Butler Eagle about the state champion trees located in Preston Park.

Commis. Zarnick reported that hob nob theatre is performing "As You Like It." at Preston Park this weekend and next weekend.

Commis. Zarnick reported that he, Commis. Hasychak and Zoning Officer Hines were out checking on grass complaints. The Zoning Department has been working diligently to resolve these issues.

Commis. Zarnick reported that Butler Township will be participating in the "National Night Out" program this year. The commissioners and the police department will be walking the streets on Tuesday, August 4th at 6:00 PM in the David Drive/Elizabeth Drive neighborhood talking with residents.

Commis. Wiest reported that the Road Department is getting acclimated to the new paver. Street paving will begin in around three weeks.

Commis. Hasychak reported that contract negotiations have begun with the Police Department. The current contract expires at the end of this year.

Commis. Hasychak reported on the recent township recycling event.

Manager Kirkwood reported that an employee of the Building and Grounds Department has tendered his resignation. His last day will be July 31, 2015. He plans on doing some research and will report back to the board on his recommendation on how best to fill this position.

Manager Kirkwood reported that he has been invited to sit on the planning committee representing first class townships for the 2016 Association of Pennsylvania Municipal Managers Conference. He is seeking board approval.

Motion by Commis. Hasychak to approve Manager Kirkwood's taking a seat on the planning committee representing first class townships for the 2016 Association of Pennsylvania Municipal Managers Conference, seconded by Commis. Nedz.

Commis. Hasychak asked for public comment on this non-agenda item. There was none. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

Engineer Deiseroth reported on the progress of the storm water projects.

Engineer Deiseroth reported on the pond issue by W. Ricks.

Engineer Deiseroth reported on projects that he is working on with the Road Department concerning storm sewer issues.

Zoning Officer Hines reported three houses have been demolished in the township with one more house waiting to be demolished. The houses were demolished with grant money that the township received through the Housing Authority.

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

Zoning Officer Hines presented the extension request by Speedway Land Development.

Motion by Commis. Nedz to pass Resolution # 15-19, extending the Speedway Land Development final approval until October 19, 2015, seconded by Commis. Zarnick. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

Zoning Officer Hines presented the request for Larry Christy, Butler Township Fire Marshal to attend the course "At a Moment's Notice: Rail Transportation Emergencies, Community Response and Health" on July 30, 2015 at the Allegheny County Emergency Operations Center at a cost of \$25.00.

Motion by Commis. Zarnick to grant permission for Larry Christy, Butler Township Fire Marshal to attend the course "At a Moment's Notice: Rail Transportation Emergencies, Community Response and Health" on July 30, 2015 at the Allegheny County Emergency Operations Center at a cost of \$25.00, seconded by Commis. Nedz. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

Manager Kirkwood presented information on the 2015 Road Seal Coat Project and recommended awarding the contract to Suit-Kote Corporation, the lowest responsible bidder meeting specifications, at a cost of \$246,052.89.

Motion by Commis. Wiest to award the 2015 Road Seal Coat Contract to Suit-Kote Corporation at a cost of \$246,052.89, seconded by Commis. Nedz. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

Manager Kirkwood reviewed the bills report and the following totals were noted: General Fund - \$172,767.40; Stormwater Capital Fund - \$6,105.40; Highway Aid Fund - \$57,605.11; Park Development Fund - \$1,985.77; General Fund (added after June Bills Report) - \$23,199.96; Capital Equipment Fund (paid after June Bills Report) - \$89,525.48; Park Development Fund (paid after June Bills Report) - \$232.63; Payroll Fund (prior month) - \$241,539.05.

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

Manager Kirkwood read a letter dated July 16, 2015 from the Butler County Board of Commissioners requesting the township take over maintenance responsibility of a one thousand foot section of Alameda Park Road between Route 356 and Piper Lane. A discussion followed.

A five minute recess was called.

Karen Marshall, 208 North Duffy Road, commented on the Fire Department donation letters that are sent out every year and questioned the process of funding the fire departments. She also commented on the noise issues and burning issues in the township.

7:00 p.m. - OPEN HEARING – Agricultural Security Area Seven-Year Review

Solicitor Black stated that this is the time and date set for a public hearing on Agricultural Security Area Seven-Year Review. It will be introducing a resolution. A court reporter, Kelly Ferrari, is present. Zoning Officer Jesse Hines was sworn in to testify on behalf of the township.

Zoning Officer Hines presented information on the Ag Security Area Seven Year Review. He presented the calendar listing the timeline of events involved in approving this review. He presented information on the revised Ag Security Area for Butler Township. There are over 1,850 acres in the Butler Township Ag Security Area. The Ag Security Advisory Committee and the Butler County Planning Commission recommend adopting the Ag Security Area as presented. Questions from the board were taken.

Solicitor Black stated that a notice was sent to all interested parties and any affected parties on June 19, 2015. Notice of this hearing was advertised on June 29, 2015 and July 6, 2015 in the Butler Eagle.

Solicitor Black asked if there was anyone else in attendance who wished to testify. There was none.

7:10 P.M. - CLOSE HEARING

Motion by Commis. Nedz to pass Resolution #15-20, setting forth properties within the agricultural security area as recommended by the Agricultural Security Area Advisory Committee and the Butler Township Planning Commission, seconded by Commis. Zarnick. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

7:15 p.m. - OPEN HEARING – Foothold LP / Starcher Change of Zoning

Solicitor Black stated that this is the time and date set for a public hearing on the Foothold LP / Starcher Change of Zoning. This hearing was duly advertised on July 6 and 13, 2015 in the Butler Eagle. A court reporter, Kelly Ferrari, is present. Anyone who is intending to testify or comment is to step forward and be sworn in. The following witnesses were sworn in:

Arthur Slear, 101 Connemara Lane, Butler, PA
 Mike Ogin, 201 South Main Street, Butler, PA
 Jesse Hines, 230 Crolls Mill Road, Slippery Rock, PA.

Zoning Officer Hines presented information on the Foothold LP / Starcher Change of Zoning and the Lot Line Revision. He introduced Mike Ogin of Gateway Engineers who is representing the applicant.

Mike Ogin of Gateway Engineers presented information on the Foothold LP / Starcher Change of Zoning and the Lot Line Revision. The site address is 670 Mercer Road, Butler, PA. The current zoning for the parcels is A-1 and the proposed zoning is R-1.

Zoning Officer Hines presented additional information explaining that the change of zoning and the land development approvals will need to be contingent upon the approval of the other. He stated that the Planning Commission has recommended approval of the change of zoning and the subdivision.

Solicitor Black asked if anyone would like to testify on this matter. There was none.

Solicitor Black asked if anyone would like to comment on this matter. There was none.

7:22 P.M. - CLOSE HEARING

Motion by Commis. Nedz to grant final approval of the Foothold, LP / Starcher Lot Line Revision contingent upon approval of the Foothold, LP / Starcher Change of Zoning, seconded by Commis. Wiest. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

Motion by Commis. Nedz to pass Ordinance #885, amending Butler Township Codified Ordinance, Chapter 300 (Zoning), and all previous amendments thereto, by

changing the zoning classification of Map & Parcel 56-5-4 from A-1 (Agricultural) to R-1 (Single Family Residential), contingent upon recording of Foothold, LP / Starcher Lot Line Revision, seconded by Commis. Wiest. The vote was: Nedz: Yes; Zurzolo: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

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

Mark Krenitsky, 139 Winterwood Drive, commented that Speedway should purchase the property across the street from their new location.

7:30 p.m. - OPEN HEARING – KLTF Change of Zoning

Solicitor Black stated that this is the time and date set for a public hearing on the KLTF Change of Zoning. This hearing was duly advertised on July 6, 2015 and July 13, 2015 in the Butler Eagle. A court reporter, Kelly Ferrari, is present. Anyone who is intending to testify or comment is to step forward and be sworn in. The following witnesses were sworn in:

Jesse Hines, 230 Crolls Mill Road, Slippery Rock, PA
Richard Hein, 209 Greenwood Drive, Butler, PA
Brent Thomas, KLTF Partners, 326 Sawmill Run Road, Butler, PA
Mike Ogin, Gateway Engineers, 201 South Main Street, Butler, PA

Zoning Officer Hines presented information on the KLTF Change of Zoning request for property along Greenwood Drive. The property is currently zoned C-2 and the request is to do a lot line revision to add property to this parcel. The additional property is currently zoned A-1 with the request to change it to C-2 after the lot line revision. The Planning Commission recommended approval of both the change of zoning and the subdivision.

Mike Ogin of Gateway Engineers presented additional information on the plan.

Questions from the board were taken.

Brent Thomas, KLTF Partners, presented information on future plans for the property.

Richard Hein questioned the map that was distributed with the notice. He questioned the property lines that were represented on the map. He questioned whether the road that is marked on the map is a right of way or a proposed roadway.

Brent Thomas stated that recent surveys have been done and the lines as presented are correct. The road way was constructed by the power company as a maintenance road for the power lines. It will not be used by any development of the property.

7:43 P.M. - CLOSE HEARING

Motion by Commis. Nedz to grant modification for odd shaped lot for the KLTF subdivision plan, seconded by Commis. Wiest. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

Motion by Commis. Nedz to grant final approval of the KLTF Lot Line Revision contingent upon compliance with Senate Engineering Company's letter dated June 15, 2015 and approval of the KLTF Change of Zoning, seconded by Commis. Wiest. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

Motion by Commis. Nedz to pass Ordinance # 886, amending Butler Township Codified Ordinance, Chapter 300 (Zoning), and all previous amendments thereto, by changing the zoning classification of part of the existing Tax Parcel IDs 056-1-8 and 056-1-9 and proposed Revised Tax Parcel ID 056-1-7A, Tract A and Tract B, of the proposed KLTF Lot Line Revision and Consolidation of Butler County Tax Parcels 056-1-7A, 056-1-8 and 056-1-9 from A-1 (Agricultural) to C-2 (Convenience Commercial), contingent upon recording of KLTF Lot Line Revision, seconded by Commis. Wiest. The vote was: Nedz: Yes; Wiest: Yes; Zarnick: Yes; Hasychak: Yes. Motion Carried.

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

Questions were taken from the media.

Commis. Hasychak reported that the American Legion has been contacted by Congressman Kelly to hold a public meeting relative to the VA Hospital. The meeting will be August 27th from 10:00 AM to 11:30 AM at the American Legion Post in Lyndora.

Motion was made by Commis. Zarnick to adjourn the meeting at 7:51 PM, seconded by Commis. Nedz and carried unanimously.

Theresa Giesler