

**MINUTES OF THE
REGULAR MEETING HELD
August 15, 2016**

The regular meeting of the Butler Township Board of Commissioners was held on August 15, 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, Assistant Manager Cheryl McNeill, Solicitor Larry Lutz, Zoning Officer Jesse Hines, Road Superintendent Tom 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 July 18, 2016 meeting. There being none, the minutes will stand as presented.

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

Commis. Nedz had nothing to report.

Commis. Lokhaiser reported that the Butler Public Library "Music in the Courtyard" series continues this Friday with the group, Cloud Chamber, at 6:00 PM. The event is free.

Commis. Lokhaiser reported that there is a tour of Preston Park Scheduled for Wednesday, August 24th at 6:00 PM. Twenty-seven people have signed up to participate in this tour. The next tour is scheduled for October 8th.

Commis. Lokhaiser reported on the Hob Nob Theatre production, The Taming of the Shrew that was held at Preston Park over two weekends.

Commis. Lokhaiser reported on the progress of the picnic shelter that is going to be constructed at Preston Park.

Commis. Lokhaiser reported that State Representative Brian Ellis is holding his community night this Thursday, August 18th at the Butler Farm Show grounds.

Commis. Zurzolo reported on the National Night Out Event held on August 2nd. Commis. Zarnick, Commis. Lokhaiser, Asst. Manager McNeill and he along with Chief Hays, Lieut. Pearson and Officer Endlich participated in this event by walking Penn Avenue in Lyndora. The group met with some of the area residents and discussed neighborhood issues during their walk. He thanked the members of the Citizens Crime Watch for preparing the food for the participants. He presented their request to use the Park Rental Building for their next Crime Watch Meeting on October 2nd or 8th. Permission

was given to use the Rental Building if it is available. If it is not, they have permission to use the Township Building.

Commis. Zurzolo commented on having a regional police force.

Commis. Wiest reported that the 2016 Road Paving Projects have been completed. The Seal Coating projects will be beginning soon.

Commis. Wiest reported that Route 422 is restricted to one lane due to the Duffy Road Overpass and Lions Road Overpass repairs.

Assistant Manager McNeill stated that she enjoyed the National Night Out walk.

Road Superintendent Knights reported that the seal coat projects will begin on Wednesday of this week.

Zoning Officer Hines reported that the new Regulation Inspector, James Sproat, started today.

Solicitor Lutz had nothing to report.

Engineer Deiseroth had nothing to report.

Manager Kirkwood reported on the progress of the Business Privilege Tax audit that Asst. Manager McNeill has been working on. The township has received a tax payment from a business that had not previously paid this tax. He anticipate monies to be collected from additional businesses. He commended her efforts on this audit.

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

Zoning Officer Hines presented information on the Napora/Houllion Subdivision located along Eckstein Road. The plan proposes lot line revisions and a remnant lot. The plan would require a modification for an odd shaped lot. An approved planning model has been received from the DEP for this plan. He recommended approval of the plan.

Engineer Deiseroth and Solicitor Lutz gave no objection to the approval recommendation, as presented.

Motion by Commis. Nedz to grant a modification for an odd shaped lot. 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 grant final approval of the Napora / Houllion 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 the ninety day extension request by Sierra Vista located behind the Get Go. He recommended approval.

Motion by Commis. Nedz to pass Resolution 16-29, extending the Sierra Vista final approval until November 21, 2016. Seconded by Commis. Zarnick. 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 Struxures, LLC (Dollar Tree). He recommended approval.

Motion by Commis. Nedz to pass Resolution 16-30, extending the Struxures, LLC (Dollar Tree) final approval until November 21, 2016. 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 Deshon Woods Development, LLC Change of Zoning Request. They are requesting that the zoning classification for tax parcel 56-11-7A along Evans City Road be changed from R-1 (Single Family Residential) with an I (Institutional) Overlay to C-1 (General Commercial).

Motion by Commis. Nedz to introduce an ordinance amending Butler Township Codified Ordinance, Chapter 300 (Zoning), and all previous amendments thereto, by changing the zoning classification of tax parcel 56-11-7A along Evans City Road from R-1 (Single Family Residential) with an I (Institutional) Overlay to C-1 (General Commercial). 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 set the public hearing date for September 19, 2016 at 7:00 p.m. to be held at the Butler Township Municipal Building. Seconded by Commis. Zarnick. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented the request by United Growth for a bond reduction for the Greenwood Plaza Development.

Engineer Deiseroth presented the information on the bond reduction. United Growth is requesting a reduction in their bond from \$341,973.50 to \$129,709.89. He recommended the bond reduction.

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

Motion by Commis. Nedz to authorize the reduction of the bond for the Greenwood Plaza Plan from \$341,973.50 to \$129,709.89. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood opened the bids for the Janitorial Services Contract. Three bids were received.

Company	Bid Bond	Sept. thru Dec. 2016	Jan. thru Dec. 2017
Connie's Cleaning	No	-----	-----
Clean Bee	Yes	\$5,000.00/Month	\$5,000.00/Month
The ARC	Yes	\$5,100.00	\$15,600/Year

Manager Kirkwood turned the meeting over the Asst. Manager McNeill while he reviewed the bids for compliance with the bid specifications.

Engineer Deiseroth presented the request by R. & B. Construction for payment No. 7 for work completed on the Storm Water Project on Cupps Road in the amount of \$116,517.50. He recommended approval.

Motion by Commis. Wiest to authorize payment No. 7 to R. & B. Construction for work completed on the Storm Water Project for Cupps Road in the amount of \$116,517.50. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented information on the Dek Hockey Management Contract which is set to expire on December 31, 2016. She requested authorization to draft specifications and advertise for the 2017 Dek Hockey Management Contract with the option for an additional year. A discussion followed concerning the addition of a second option year.

Motion by Commis. Zarnick to authorize the drafting of specifications and advertising for the 2017 Dek Hockey Management contract with two, one year options. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the letter from Tricia Kradel and Kelly Michalek of the Butler Football Boosters requesting the use of the Park Rental Building to serve dinner to the Butler Football team on Thursday evenings starting September 1st through October 27th from 3:30 PM to 8:00 PM. They are requesting a waiver of the rental fees.

Tricia Kradel and Kelly Michalek were in attendance. Ms. Kradel presented additional information on the purpose of the dinners.

Motion by Commis. Wiest to grant the Butler Football Boosters the use of the Township Park Rental Building on Thursday evenings from September 1st through October 27th with a waiver of the rental fees. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Zurzolo presented the request from Chief Hays to have Detective Sergeant David Fish and himself attend the one day seminar, *The Bullet Proof Mind*, on August 25, 2016 in McMurray, PA. There is no cost for this training. Lunch, if not provided, will be reimbursed and a department vehicle will be made available.

Motion by Commis. Zurzolo to grant permission for Chief John Hays and Det. Sgt. David Fish to attend the one day seminar, *The Bullet Proof Mind*, as presented.

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

Manager Kirkwood presented the letter dated July 27, 2016 from Kathy Kline, Director of Public Safety/Bureau of Fire on the City of Butler requesting permission to use the services of Butler Township Fire Marshal Larry Christy as acting Fire Marshal for the City of Butler when needed. A discussion followed.

Motion by Commis. Zarnick granting permission for Fire Marshal Larry Christy to act as Fire Marshal for the City of Butler when needed. Seconded by Commis. Wiest. Discussion followed. Fire Marshal Christy will contact Manager Kirkwood prior to being called out by the City of Butler. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the Butler County Hazard Mitigation Plan. Fire Marshal Christy has worked with the County in developing this plan and recommended its adoption as the Butler Township Hazard Mitigation Plan to be included in the Butler Township Emergency Operation Plan. Manager Kirkwood recommended its approval.

Motion by Commis. Wiest to pass Resolution 16-31, adopting the Butler County Hazard Mitigation Plan as Butler Township's Hazard Mitigation Plan. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the revised Fire Commission Red Book. The Fire Commission has recommended approval with these revisions. He recommended approval. A discussion followed.

Motion by Commis. Lokhaiser to approve the revisions to the Fire Commission Red Book. 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 rescind all prior Mercer Road VFD Fire Commission Appointments due to incorrect information.

Motion by Commis. Lokhaiser to rescind all prior Mercer Road VFD Fire Commission appointments. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Lokhaiser to appoint Ron Kastelic as Mercer Road VFD's Primary Representative to the Fire Commission. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Lokhaiser to appoint Alan Paul as Mercer Road VFD's First Alternate Representative to the Fire Commission. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Motion by Commis. Lokhaiser to appoint Chuck Glagola as Mercer Road VFD's Second Alternate Representative to the Fire Commission. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the 2017 Pension Municipal Minimum Obligation. Pursuant to Act 205 of 1984 the township is mandated to budget \$492,447.00 for the Municipal Employees Pension Plan and \$123,905.00 for the Police Pension Plan in 2017. These amounts will be reduced by the estimated amount of state aid that will be received in early October. This money is due and payable by December 31, 2017 to avoid interest and penalties.

Manager Kirkwood presented his findings for the Janitorial Services bids. The only bid meeting all specifications was The Arc.

Motion by Commis. Nedz to award the janitorial services contract to The Arc, the lowest responsible bidder meeting specifications conditioned upon successful completion of a criminal background investigation. Seconded by Commis. Zurzolo. A discussion followed. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the recommendation from the Preston Park Advisory Board concerning creating a policy for individuals purchasing trees in someone's honor to replace trees of the same species.

Motion by Commis. Wiest to approve individuals purchasing trees in someone's honor to replace trees of the same species. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the request from Tim Vensel of Butler Township Volunteer Fire District 3 to waive the building permit fees to replace the roof on their building located at 110 Whitestown Road in Lyndora. He recommended approval.

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

Motion by Commis. Lokhaiser to waive the building permit fees for the roof replacement at 110 Whitestown Road in Lyndora. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood requested authorization to hire a patrolman for a twelve month conditional probationary appointment.

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

Motion by Commis. Zurzolo to hire a patrolman for a twelve month conditional probationary appointment. Seconded by Commis. Nedz. 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 - \$539,060.17; Stormwater Capital Fund - \$13,795.33; Highway Aid Fund - \$25,980.96; Park Development Fund - \$818.91; General Fund (added after July Bills Report) - \$44,050.77; Stormwater Capital Fund (paid after July Bills Report) - \$144,218.43; Capital Equipment Fund (paid after July Bills Report) - \$136,136.00; Payroll Fund (prior month)- \$254,878.62.

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.

Questions were taken from the media.

Motion was made by Commis. Wiest to adjourn the meeting at 7:32 PM, seconded by Commis. Nedz and carried unanimously.

Theresa Giesler