

**MINUTES OF THE
REGULAR MEETING HELD
September 18, 2017**

The regular meeting of the Butler Township Board of Commissioners was held on September 18, 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 Larry Lutz, Zoning Officer Jesse Hines, Superintendent of Public Works Thomas Knights, 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. There was none.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the August 21, 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. Nedz had nothing to report.

Commis. Lokhaiser reported that the Butler Township Commissioners have been invited to attend the Butler County Federated Library Systems' Thirtieth Anniversary Open House on Wednesday, September 20th from 6:00 to 8:00 p.m. at Founders Hall at the Butler County Community College. Commis. Zarnick will be representing the township at this event. The Library Board will meet on Wednesday, September 27th at 6:30 p.m.

Commis. Lokhaiser reported that the Fireman's Association Sportsman's Raffle was held on September 9th.

Commis. Lokhaiser reported that Fire Prevention Week is the week of October 8th. The Township will be holding a poster contest for elementary school age children in Butler Township. Deadline for entries is Friday, September 29th. Winners from each grade level will be recognized at the October 16th Board Meeting.

Commis. Lokhaiser reported that we have received three applications for membership in the Butler Township Volunteer Fire Departments. He also reported that there is a Fire Commission meeting scheduled for September 20th at 6:30 p.m.

Commis. Lokhaiser reported that there is a walking tour of Preston Park scheduled for Wednesday, September 20th at 10:00 a.m. There are twenty people registered for this tour. The next tour is scheduled for Saturday, October 7th at 10:00 a.m.

Commis Lokhaiser reported that the Week of Caring is scheduled for October 2nd - 6th. AGR, AK Steel, C.W. Howard Insurance, and Tim Reges State Farm Insurance have signed up to participate this year by volunteering their services at Preston Park.

Commis. Lokhaiser reported that the VNA held its Butterfly Release on Sunday, September 10th at Preston Park at 12:30 p.m. Commis. Zarnick will give additional information on this event.

Commis. Zurzolo reported that he and Commis. Zarnick attended the opening of the State Police Barracks addition.

Commis. Zurzolo thanked the commissioners and everyone else who assisted when the Traveling Vietnam Veteran's Memorial Wall was in Butler Township.

Commis. Zurzolo reported that he and Commis. Zarnick attended the grand opening of the new V.A. Center. The building was named after Butler Township resident and World War II hero, Abie Abraham.

Commis. Zurzolo reported that \$40,778.28 was raised when the Memorial Wall was in Butler Township. On Saturday they took approximately fifty veterans and their guests to Washington, D.C. to present the check to the Secretary of the Department of the Interior. He thanked the Secretary for the treatment that he and the veterans received during their visit.

Commis. Wiest reported that the road paving in the Township has been completed.

Commis. Zarnick reported that in the past couple of weeks he attended a Butler Transit Authority meeting, a Penn State Extension meeting and a Butler County Council of Governments meeting. He also attended the VNA Butterfly Release with approximately 225 other attendees and the Rustic Acres Open House.

Commis. Zarnick reported that he met with the new Superintendent of Schools, Dr. White. He also recognized the students at Northwest Elementary School who raised over \$3,600.00 for Hurricane Relief.

Zoning Officer Hines reported that the Butler County Housing Authority has received a \$350,000.00 to go towards Blight Mitigation in the Lyndora area. It is geared towards improvements to the interior and exterior of the properties.

Township Engineer Deiseroth reported on the storm sewer projects.

Solicitor Lutz had nothing to report.

Public Works Superintendent Knights had nothing to report.

Asst. Manager McNeill had nothing to report.

Manager Kirkwood had nothing to report.

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

Zoning Officer Hines presented information on the Garber Family Limited Partnership Subdivision. The referenced Subdivision Plan is located on New Castle Road in the C-2 (Convenience Commercial) Zoned District. The plan proposes to consolidate two existing lots into one lot. He recommended approval.

Motion by Commis. Nedz to grant final approval of the Garber Family Limited Partnership Subdivision. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zamick: Yes. Motion carried.

Zoning Officer Hines presented information on the Burger King Land Development. The referenced Land Development Plan is located on New Castle Road in the C-2 (Convenience Commercial) Zoned District. The plan proposes the construction of a new Burger King Restaurant and associated site improvements.

Mike Sanford, Sanford Surveying & Engineering, presented additional information on the Land Development. A discussion followed.

Township Engineer Deiseroth presented information on the Land Development.

Motion by Commis. Nedz to pass Resolution 17-18, granting final approval of the Burger King Land Development contingent upon:

1. Compliance with Gateway Engineers' letter dated September 11, 2017,
2. DEP Approved Planning Module,
3. Posting of financial security in an amount and form acceptable to the Township Solicitor, and
4. Executed Developer's Agreement.

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

Zoning Officer Hines presented information on the R. A. Moculski Subdivision. The referenced Subdivision Plan is located along Garden Avenue in the R-2 (Multi-Family) Zoned District. The plan proposes to consolidate a lot and unopened alley and then subdivide the lot into two parcels. He recommended approval.

Township Engineer Deiseroth and Township Solicitor Lutz had no issues with the plan.

Motion by Commis. Nedz to grant a modification for odd shaped Lot 2 in the R. A. Moculski Subdivision. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zamick: Yes. Motion carried.

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

Manager Kirkwood opened the bids for the Traffic Signal Repair Contract. The Township received three bids.

Specification	Bruce & Merrilees	Traffic Systems & Service	Traffic Control Equip. & Supplies Inc.
Bid Bond	Yes	Yes	Yes
Hourly Rate-Monday - Friday-One Man & Truck-Normal Business Hours	\$135.00	\$95.00	\$120.00
Hourly Rate-Monday - Friday-Extra Man -Normal Business Hours	\$85.00	\$90.00	\$85.00
Hourly Rate-Monday - Friday-One Man & Truck-After Normal Business Hours	\$202.50	\$105.00	\$162.50
Hourly Rate-Monday - Friday-Extra Man -After Normal Business Hours	\$127.50	\$100.00	\$127.50
Hourly Rate-Saturday-One Man & Truck	\$202.50	\$105.00	\$162.50
Hourly Rate-Saturday-Extra Man	\$127.50	\$100.00	\$127.50
Hourly Rate-Sunday & Holidays-One Man & Truck	\$270.00	\$105.00	\$205.00
Hourly Rate-Sunday & Holidays-Extra Man	\$170.00	\$100.00	\$170.00
Hourly Rate-Monday - Friday-One Man & Truck-Econolite Controller & Aries Software-Normal Business Hours	\$135.00	\$95.00	\$120.00
Hourly Rate-Monday - Friday-Extra Man -Econolite Controller & Aries Software-Normal Business Hours	\$85.00	\$90.00	\$85.00
Hourly Rate-Monday - Friday-One Man & Truck-Econolite Controller & Aries Software-After Normal Business Hours	\$202.50	\$105.00	\$162.50
Hourly Rate-Monday - Friday-Extra Man -Econolite Controller & Aries Software-After Normal Business Hours	\$127.50	\$100.00	\$127.50
Hourly Rate-Saturday-One Man & Truck-Econolite Controller & Aries Software	\$202.50	\$105.00	\$162.50
Hourly Rate-Saturday-Extra Man-Econolite Controller & Aries Software	\$127.50	\$100.00	\$127.50
	Charge for travel time; No minimum hours	Charge for travel time; 4 hour minimum call out for after hours, weekends & holidays	Charge for travel time; 4 hour minimum call out for after hours, weekends & holidays

Manager Kirkwood excused himself from the meeting to review the bids for compliance with the specifications and calculate driving distances from each vendor's place of business to the township to use as a partial basis to determine his recommendation. He

will return to the meeting to provide a recommendation to the board, who will hopefully be able to award the contract before the close of the meeting.

Asst. Manager McNeill presented the 2018 Pension Municipal Minimum Obligation. Pursuant to Act 205 of 1984 the township is mandated to budget \$503,942.00 for the Municipal Employees Pension Plan and \$102,192.00 for the Police Pension Plan in 2017.

Commis. Zurzolo presented the request for Patrolman Tyler Collins and Patrolman Jeffrey Lewis to attend the Southwest Regional Crisis Intervention Team training being held at the Butler County Community College from October 9 – 13, 2017, involving 40 hours of training time. There is no cost for this training and lunch will be provided. The Township will be reimbursed \$500.00 for each officer attending the entire week of training.

Motion by Commis. Zurzolo to authorize the attendance of Patrolman Tyler Collins and Patrolman Jeffrey Lewis at the Southwest Regional Crisis Intervention Team training being held at the Butler County Community College from October 9 – 13, 2017, as presented. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Zurzolo presented the request to grant Patrolman Rachel Dovidio Permanent Status in the Butler Township Police Department. She will complete her one year probationary period as of September 19, 2017.

Motion by Commis. Zurzolo to grant Permanent Status to Patrolman Rachel Dovidio. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented the request from Mark Krenitski for a refund of the \$270.00 he paid for a street opening permit at 245 Home Avenue. They did not have to do a street opening for a sewer line hook up because the Butler Area Sewer Authority already had a sewer line hookup available.

Motion by Commis. Lokhaiser authorizing the refund of the street opening permit fee of \$270.00 to Mark Krenitsky. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Sheri Hershberger, 311 East Penn Street, Butler, presented her request regarding an Economic Development Liquor License Application for the La Casa Mexican Restaurant at 138 Point Plaza. Ms. Hershberger is requesting a vote of support from the Township in attaining the license in the form of a resolution. A discussion followed. Solicitor Lutz recommended tabling the decision for further review of the township requirements that need to be met before official support can be given.

Motion by Commis. Zurzolo to table the decision of support for the Economic Development Liquor License Application for the La Casa Mexican Restaurant at 138 Point Plaza until additional information is gathered. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Zarnick presented the Memorandum of Understanding between the Butler Transit Authority, Butler County, the City of Butler and Butler Township for the purpose of

setting the Terms and Conditions of the withdrawal and joinder of members consistent with the Municipal Authorities Act of 1945, 53 P. S. § 5604. A discussion followed.

Motion by Commis. Zarnick to approve the Memorandum of Understanding, as presented. 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 proposed resolution for the Destruction of Records, as set forth in the Municipal Records Manual issued on December 16, 2008. Collective Bargaining Contracts Prior to 1995 are listed to be destroyed.

Motion by Commis. Zarnick to pass Resolution 17-19, Destruction of Collective Bargaining Contracts Prior to 1995. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented Manager Kirkwood's recommendation of setting the date and time for the Annual Budget Hearing for Wednesday, November 8, 2017 at 5:00 p.m.

Motion by Commis. Zarnick to set the Annual Budget Hearing Date and Time as Wednesday, November 8, 2017 at 5:00 p.m. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood returned to the meeting following his review of the Traffic Signal Repair Bids. A discussion followed.

Motion by Commis. Wiest to award the contract for the Traffic System Repair Contract to Traffic Systems and Service, as presented in the bid. Seconded by Commis. Nedz. The vote was: Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion Carried.

Manager Kirkwood presented the proposals for the Refinancing of the 2011 Debt and recommended accepting the proposal from First Commonwealth Bank and adopting the proposed ordinance for General Obligation Note, Series 2017. First Commonwealth Bank is offering an interest rate of 2.28 percent. This would create a savings to the Township of approximately \$159,000.00 over the term of the loan. First Commonwealth Bank will also offer interest bearing accounts for all of the accounts that would be transferred to their bank. A discussion followed.

Motion by Commis. Wiest to adopt Ordinance No. 894, General Obligation Note, Series 2017, for the refinancing of the 2011 Debt. 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 proposed resolution amending the Fee Schedule to include an increase in the fee for leaf bags. The cost will go from thirty cents per bag to thirty-four cents per bag.

Motion by Commis. Wiest to pass Resolution 17-20, Fee Resolution, as presented. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Lokhaiser presented the request to set the date and time for Trick or Treat in the Township. Butler Township and the City of Butler alternate years in setting the date for Trick or Treat and it is the Township's turn to set the date. A discussion followed.

Motion by Commis. Lokhaiser to set the date and time for Trick or Treat for Tuesday, October 31st from 6:00 to 7:30 p.m. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: No. Motion carried.

Asst. Manager McNeill reviewed the bills report and the following totals were noted: General Fund - \$119,815.56; Stormwater Capital Fund - \$285.89; Highway Aid Fund - \$21,162.91; Park Development Fund - \$420.00; General Fund (added after August Bills Report) - \$15,752.15; Highway Aid Fund (added after August Bills Report) - \$1,112.88; Payroll Fund (prior month) - \$245,057.46.

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.

There was no correspondence.

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

There were no questions from the media.

Motion was made by Commis. Zarnick to adjourn the meeting at 8:24 p.m., seconded by Commis. Zurzolo and carried unanimously.

Theresa Giesley