

**MINUTES OF THE
REGULAR MEETING HELD
February 19, 2018**

The regular meeting of the Butler Township Board of Commissioners was held on February 19, 2018 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. Joseph A. Wiest, Commis. James Lokhaiser, Jr. and Commis. Fred M. Vero.

Also present were Manager Edward Kirkwood, Asst. Manager Cheryl McNeill, Solicitor Rebecca Black, Zoning Officer Jesse Hines, and Chief of Police John Hays.

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, recorded the meeting.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the February 5, 2018 meeting. There being none, the minutes will stand as presented.

Pres. Zarnick noted receipt of the monthly Fire/Zoning Report.

Commis. Wiest reported on the Road Department's response to the recent heavy rains and snow melt in the township. They are working diligently to get the roadways cleaned up.

Commis. Zurzolo commended the Road Department on their efforts in the clean-up of the roadways.

Commis. Lokhaiser reported that the South Butler Volunteer Fire Department will be holding their annual fish fry on Fridays through March 30th.

Commis. Lokhaiser reported that the next Preston Park Advisory Board meeting will be held on Monday, February 26th at 6:00 PM and the next Library Board meeting will be held on Wednesday, February 28th. He will give a report on these two meetings in March.

Commis. Vero had nothing to report.

Chief Hays had nothing to report.

Asst. Manager McNeill reported that she attended a meeting with Township Engineer Deiseroth where he presented the sight development drawings and cost estimate for the Preston Park Restroom Project. After a few changes are made the plan will be presented to the County for submission with the grant application.

Asst. Manager McNeill reported on plans to apply for a municipal intern for this summer through the Council of Governments. Two possible opportunities would be having an intern help with the 2020 Census LUCA update or implement and gather data for a

township wide notification system. Applications for this program must be submitted to the COG by the end of February.

Manager Kirkwood reported that the auditors have completed their field work and a report will be issued before April 1st.

Commis. Zarnick reported that he attended a Butler Transit Authority meeting on February 6th.

Commis. Zarnick reported that he attended a Pennsylvania Association of Township Commissioners meeting at the beginning of the month.

Solicitor Black had nothing to report.

Zoning Officer Hines presented information on the current legislation concerning Third Party Inspections.

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

Motion by Commis. Zarnick to authorize the drafting of specifications and advertising for the 2018 Road Maintenance Project. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Lokhaiser presented information on the Fire Department appropriations for 2018.

Motion by Commis. Lokhaiser to set the Fire Department Appropriation Distribution percentages for 2018 as follows: Station No. 3 – 56%; Station No. 6 – 22%; Station No. 7 – 22%. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Chief Hays presented the request to have Det. Max Wittlinger and Det. Justin Welton attend the PA Homicide Investigators Training Conference being held at the Ramada Inn and Conference Center in State College, PA from April 9 – 13, 2018. The cost of the conference is being paid by the Butler County District Attorney's Office. Lodging and meals will be the responsibility of the Police Department. Room rates will be \$102.00 per night. The officers agreed to share a room. A department vehicle will be available, if needed.

Motion by Commis. Zurzolo to authorize Det. Wittlinger and Det. Welton to attend the PA Homicide Investigators Training Conference being held at the Ramada Inn and Conference Center in State College, PA from April 9 – 13, 2018. Lodging and meals will be provided. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Chief Hays presented the request to have Senior Office Assistants Christine Mills and Emily Crist attend Terminal Agency Coordinator Training (TAC) on May 10, 2018 from 9:00 a.m. to 1:00 p.m. at the Pennsylvania State University Campus in Monaca, PA. There is no cost for this mandatory training.

Motion by Commis. Zurzolo to authorize Senior Office Assistants Mills and Crist attend the TAC Training on May 10, 2018 from 9:00 a.m. to 1:00 p.m. at the Pennsylvania State University Campus in Monaca, PA. Mileage and lunch will be paid for by the Township.

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

Manager Kirkwood presented information on the resolution required by the Department of Conservation and Natural Resources to permit the Township to make application for a grant for the Preston Park Restroom Project. The Township Secretary is required to sign the resolution but the Board must approve it.

Motion by Commis. Zarnick to pass Resolution No. 18-10, Grant Agreement Signature Page. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented the request for Regulations Inspector James Sproat, Zoning Secretary Theresa Giesler and himself to attend the PA Construction Codes Academy (PCCA) Symposium on April 4, 2018 at the Doubletree Hotel in Monroeville, PA. The cost will be \$65.00 for each attendee with lunch included with the cost. The Code Enforcement Vehicle will be taken, if available.

Motion by Commis. Vero to authorize Zoning Officer Hines, Regulations Inspector Sproat and Zoning Secretary Giesler attend the PCCA Symposium at the Doubletree Hotel in Monroeville, PA on April 4, 2018 at a cost of \$65.00 each. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the updated Butler Township Emergency Management Operations Plan for approval. The only changes that were made were updates to the elected officials and personnel listings. A resolution is required to adopt this updated version.

Motion by Commis. Zarnick to pass Resolution No. 18-11, 2018 Butler Township Emergency Management Operations Plan. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Solicitor Black opened a discussion concerning filling the unexpired term of the Butler Township Tax Collector due to the passing of William Helsel. Solicitor Black stated that it is the Board of Commissioners duty to appoint a person to fill the vacancy in the position of Tax Collector and the appointment has to be made within thirty days. Solicitor Black presented information on options that the township has in seeking individuals to fill this position. One of the options would be to have applicants submit a Letter of Interest to the Township and then have the applicant attend a public meeting so that the applicants can answer any questions that the Board may have concerning their qualifications and interest. The appointment would last to the end of the current term, which would be December 2022. Requirements for the positions are: they must be a resident of the township for at least one year prior to the appointment and produce a certificate of residency; provide a PA State Police Criminal History record check; must be bonded; and must complete an Act 48 Tax Collector Basic Training and Qualification Exam through the DCED within sixty days of the appointment. A discussion was held on the thirty day requirement to make the appointment and it was assumed that it is thirty calendar days from the date of notification. Solicitor Black stated that since this is a first time that the township has had to deal with this issue, she will notify the Board if any statements that are made are found to be incorrect and advise the Board accordingly. Questions were raised concerning the current tax cards that are to be mailed out on March 1st, who has access to the tax office, who owns the tax software program and can the appointment go to the runner up of the recent election. Manager Kirkwood

stated that he has generated a list of questions that need to be answered concerning how the Township is to move forward to fill this vacancy but since it was a holiday, he was not able to contact the County or DCED to get answers to his questions. He will call them first thing in the morning and hopefully get some direction and advice on how to move forward. Solicitor Black stated that the only thing, at this time, the township is certain of is that they have thirty days to make an appointment and a decision needs to be made on how they will seek applicants. A discussion was held on the role of the Deputy Tax Collector. Manager Kirkwood stated that the law provides an opportunity for a Deputy Tax Collector but does not designate what their duties will be in the event the elected tax collector passes away or resigns.

Motion by Commis. Zarnick to authorize the placing of a display ad seeking letters of interest to fill the unexpired term of Tax Collector to be returned to the Township Manager no later than 2:00 p.m. on March 2, 2018. Seconded by Commis. Lokhaiser.

Commis. Zarnick asked for public comment on this non-agenda item. There was none. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Solicitor Black reminded the Board that they can elect to have an Executive Session at any time should they need to discuss the legal aspects concerning this issue as long as they announce the session afterwards.

Manager Kirkwood reviewed the bills report and the following totals were noted: General Fund - \$221,736.03; Highway Aid Fund - \$51,371.18; Park Development Fund - \$280.00; General Fund (added after January Bills Report) - \$33,939.68; Highway Aid Fund (added after January Bills Report) - \$56,256.05; Payroll Fund (prior month) - \$284,769.65.

Motion by Commis. Lokhaiser to pay the bills as per the bills report. Seconded by Commis. Vero. The vote was Vero: Yes; 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.

Motion was made by Commis. Wiest to adjourn the meeting at 7:33 p.m. Seconded by Commis. Zurzolo and carried unanimously.

Theresa Giesler