

**MINUTES OF THE
REGULAR MEETING HELD
March 5, 2018**

The regular meeting of the Butler Township Board of Commissioners was held on March 5, 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. James Lokhaiser, Jr. and Commis. Fred M. Vero. Commis. Joe Wiest was absent. Pres. Zarnick 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, Assistant Manager Cheryl McNeill, Solicitor Larry Lutz, Chief of Police John Hays, and Superintendent of Public Works Tom Knights.

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 noted receipt of the monthly Treasurer, Police and Road Department Reports.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the February 19, 2018 meeting, there being none the minutes will stand as presented.

Commis. Vero reported that since taking office he has attended the following meetings: Butler Area Sewer Authority, Butler Transit Authority, Fire Commission, Council of Government, Preston Park Advisory Board, Butler Township Fire Departments, some baseball organization meetings, and Butler County Tourism. He has also participated in the Fire Marshal interview process. In the next few weeks he and Commis. Zarnick will be doing an inspection of the buildings and grounds of the Township properties.

Commis. Lokhaiser reported that the fish fries are continuing at South Butler Volunteer Fire Department on Fridays through March 30th.

Commis. Lokhaiser reported that there is a Fire Commission meeting scheduled for March 21st at 6:30 p.m. The meeting is open to the public.

Commis. Lokhaiser reported that he attended the Preston Park Advisory Board meeting. They welcomed Mary Ellen Walter to the Board. The Preston Park Tour dates have been set for 2018. They are posted on the Butler Township website.

Commis. Lokhaiser reported that he attended the Butler Public Library Board meeting. The Library will be holding a used book sale on March 23rd and 24th. They are seeking donations of books CDs and VHS tapes for this event.

Commis. Zurzolo reported that the Spring Leaf Collection is scheduled for the weeks of April 9th and April 30th. Bags can be purchased at the Township Municipal Building, Monday thru Friday, 8:30 a.m. to 4:30 p.m. There will be no Saturday leaf bag sales.

Commis. Zarnick reported that a husband and wife team participated in the Great American Clean-up by doing a roadway clean-up on Litman Road from the Sewer Authority to Old Plank Road over the weekend. They collected over twenty-three bags of garbage along the roadway. This is their third year doing this roadway clean-up.

Commis. Zarnick reported that Butler County has taken over the management of the Dek Hockey Program. There will be a spring session and registrations are now being taken. An informational meeting is scheduled for March 20th at the Butler Township Recreation Building.

Commis. Zarnick reported that he and Commis. Vero accompanied Fire Marshal Christy during his yearly Fire Inspection of the Sunnyview Complex. He commended Fire Marshal Christy on the thoroughness of his inspections. The Sunnyview staff was assured that Fire Marshal Christy's replacement will continue the training programs that have been offered to them in the past.

Commis. Zarnick reported that he, Commis. Zurzolo and Zoning Officer Hines attended the FEMA update meeting at the County. The new Flood Plain plan was discussed. Township residents that are located in the flood plain will be notified of the changes.

Commis. Zarnick reported that the County will be accepting the letters from the Township and Butler City concerning their withdrawal from the Butler Transit Authority at the next meeting of the Board. They will then be requesting the State for a new charter for the Authority. If everything continues on schedule the County will be running the Transit Authority within sixty days.

Commis. Zarnick requested that letters of thanks be sent out to Greg Sloan and Kimberly Christie for their service on the Preston Park Advisory Board and Planning Commission, respectively.

Asst. Manager McNeill had nothing to report.

Superintendent of Public Works Knights reported on the work of the Road Department. He noted that due to the recent heavy rains, the Township did experience some flooding. Gateway Engineers looked into the flooding that was experienced at the Ski Slope area of Butler Township Park and will be forwarding their assessment and proposed options to correct the issue. The second event was on Evans Road where a part of the embankment slid on one of the turns on the road. A geotechnical engineer is scheduled to come out to do an assessment of the slide and propose temporary and permanent options to correct the issue.

Chief Hays reported on the complaints concerning vehicles going off the road at the train tracks on McCalmont Road. He reported that the majority of the incidents at that site were due to driver error. His recommendation would be to ask Penn Dot to install a larger directional sign. Manager Kirkwood was asked to contact Penn Dot to request the sign.

Solicitor Lutz had nothing to report.

Manager Kirkwood reported that an auditor from the Auditor General's Office was in the building auditing the 2016 Liquid Fuels Account. There were no observations or findings associated with this account.

Manager Kirkwood reported that he has received a request from a resident for a stop sign to be installed at the intersection of Cooledge Street and Bredin Street. Chief Hays will take a look at the area and report back to the Board with his recommendation..

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

Manager Kirkwood updated the Board on the activities and conversations that have been happening concerning the vacancy created by the untimely passing of William Helsel, Tax Collector. New tax cards will need to be printed and the Real Estate Tax Ordinance will need to be amended once a new tax collector is appointed. By Statute, the Board has until March 16th to make an appointment for the Tax Collector position. If unable to make an appointment by that time, it will then go to the Vacancy Board. The Vacancy Board Chairman along with the Board of Commissioners have an additional fifteen days to make an appointment. If unable to make an appointment at that time it would get petitioned to the Court of Common Pleas with an undetermined time frame for action. Manager Kirkwood reviewed the job requirements of the Tax Collector.

Manager Kirkwood requested permission to move forward by having the candidates introduce themselves and provide him an opportunity to ask questions so that the Board can do due diligent deliberations. A decision does not have to be made tonight but if it is not made tonight a special public meeting will have to be scheduled and advertised for either Monday, March 12th or Friday, March 16th due to the various schedules of the Commissioners.

Motion by Commis. Zarnick to grant permission to the Manager to move forward with the questioning of the candidates. Second by Commis. Vero and carried unanimously.

Manager Kirkwood explained the questioning process. Three applicants were questioned: Daniel Hay, Olivia Wiest and Dewaine Gillott.

Solicitor Lutz explained that the interview process was done in a public forum and not as an Executive Session due to the fact that it was for an elected position and the Board is appointing someone to an elected position, so the law requires the Board to conduct the process in a public forum.

Solicitor Lutz stated that the next item on the agenda is the appointment of the Tax Collector, if the Board so chooses. Solicitor Lutz reviewed the Board's options on this matter.

Commis. Lokhaiser thanked the candidates for their interest in the position and stepping up to help the Township in this situation.

Motion by Commis. Lokhaiser to appoint Olivia J. Wiest as Tax Collector. Second by Commis. Zurzolo. The vote was: Vero: Yes; Lokhaiser: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Commis. Zarnick thanked the candidates for coming in and answering the questions to be considered for the position.

Manager Kirkwood explained that the appointment is for a term to expire the end of 2019. Interested candidates can submit a petition for the office for the May 2019 primary election and then the general election. The successful candidate will also serve a two year term. Thereafter the elections will go back to the four year cycle.

Asst. Manager McNeill presented the request to make application for the Butler County Convention & Visitor's Bureau Grant for the purpose of creating and printing a brochure which would contain a map of Preston Park and Butler Township Park.

Motion by Commis. Lokhaiser to authorize making application for the Butler County Convention & Visitor's Bureau Grant, as presented. Seconded by Commis. Vero. The vote was: Vero: Yes; Lokhaiser: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Manager Kirkwood presented the letter from Kimberly Christie stating her resignation from the Planning Commission.

Motion by Commis. Vero to accept the resignation of Kimberly Christie from the Planning Commission. Seconded by Commis. Lokhaiser. A question was asked concerning her replacement. Manager Kirkwood noted that Zoning Officer Hines has had conversations with two individuals who are interested in the appointment to the Planning Commission. The vote was: Vero: Yes; Lokhaiser: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Manager Kirkwood presented information on the actuarial assumptions for the police pension plan and the municipal employee's pension plan. He stated that the actuary has recommended the following changes to the plans: Lower the interest assumption from 7.5% to 7.25% and adopt the MP 2014 mortality rate calculated by the Social Security Administration 2015 Trustee Report. He recommended adopting the recommendation from the actuary even though it is going to cost the Township more money on an annual basis.

Motion by Commis. Vero to adopt the actuarial recommendations for the Police Pension Plan and the Municipal Employee's Pension Plan, as presented. Seconded by Commis. Zurzolo. The vote was: Vero: Yes; Lokhaiser: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Manager Kirkwood presented information on the excess township equipment. One of the Road Department dump trucks is up for replacement and the Township has been approached by the City of Butler to purchase this vehicle. The only other vehicle that would be available for sale would be the 2002 Ford Explorer that is driven by the Regulations Inspector. Due to the mileage on the vehicle, its value will be below the threshold requiring public advertising for the sale of the vehicle. The Township is permitted by statute to sell personal property to other municipal entities. He is looking for approval to approach the City of Butler to make them an offer to purchase the vehicle. If they do not accept the offer, the vehicle will then go out for public bid.

Motion by Commis. Zarnick to approve selling the excess Road Department vehicle to the City of Butler. Seconded by Commis. Lokhaiser. The vote was: Vero: Yes; Lokhaiser: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Motion by Commis. Zarnick to introduce an ordinance amending the real estate tax ordinance. Seconded by Commis. Lokhaiser. The vote was: Vero: Yes; Lokhaiser: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Manager Kirkwood read a thank you note from Don and Carol Putney in reference to Regulations Inspector Jim Sproat and the clean-up at 232 Grandview Boulevard.

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

Ed Natali, 749 Bullcreek Road, thanked the Township for moving so quickly in making the Tax Collector appointment.

Questions were taken from the media.

Motion by Commis. Zurzolo to adjourn the meeting at 8:05 p.m., second by Commis. Vero and carried unanimously.

Theresa Giesler
