

**MINUTES OF THE
REGULAR MEETING HELD
July 16, 2018**

The regular meeting of the Butler Township Board of Commissioners was held on July 16, 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, Solicitor Rebecca Black, Zoning Officer Jesse Hines, Township Engineer Dan Deiseroth, Chief of Police John Hays, Public Works Superintendent Tom Knights, and Fire Marshal Chris Switala.

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 Saelor, Butler Radio Network, taped the meeting.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the June 18, 2018 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 Department Reports.

Commis. Vero had nothing to report but thanked Manager Kirkwood for all of the help and support that he has received from him since taking office and wished him the best in his retirement.

Commis. Lokhaiser reported that there will be a Fire Commission meeting at the Township Building on Wednesday, July 18th at 6:30 p.m. The meeting is open to the public.

Commis. Lokhaiser reported that Hob Nob Theatre has canceled their shows that were to be performed at Preston Park on August 4th and 5th.

Commis. Lokhaiser reported that a Wildflower Walk is scheduled for Saturday, July 21st at 10:00 a.m. There are currently twenty-six people registered for this event.

Commis. Lokhaiser reported that Polly Shaw will be giving a presentation on Frank and Jane Preston on Wednesday, September 19th at 6:00 pm at the Park Recreation Building. Registration is required.

Commis. Lokhaiser reported that Ryan Jones has completed his Eagle Scout project. He constructed and installed twelve bluebird houses at Preston Park. He thanked Dave Heltzell for his guidance in helping Ryan complete this project.

Commis. Lokhaiser reported on the work of the Monday Morning Maintenance Crew at Preston Park. Last Monday Commis. Zarnick was at the park providing lunch for the volunteers.

Commis. Wiest thanked Manager Kirkwood for his service to the Township.

Commis. Wiest asked Road Superintendent Knights to have the road surface on Duffy Road addressed by PA American Water.

Commis. Zurzolo thanked Road Superintendent Knights for handling the situation on Greenwood Drive.

Commis. Zurzolo reported that the Township will be participating in the National Night Out Event on Tuesday, August 7th. This year the event will be in the Meadowood Plan of homes. Aspen Road will be closed between 6 and 8 PM to allow residents to come out and meet with members of the Police Department and Commissioners.

Fire Marshal Switala reported that fire safety and fire extinguisher staff training materials have been updated and he has taught nearly 250 medical facility and group home staff members in fire safety and fire extinguisher use in the past couple of weeks. He thanked Butler Memorial Hospital for allowing him to use their digital fire extinguisher training unit as part of the training.

Fire Marshal Switala reported that he participated in a rope rescue training exercise with AK Steel last Wednesday evening at the AK Steel Plant. Everyone worked very well together between the departments and the volunteer fire companies had a very nice turn out.

Public Works Superintendent Knights reported that the Road Department hosted a Confined Space Training Class last month.

Chief Hays reported on the progress of installing the handicapped parking space on Bessemer Avenue. The necessary documents have been received to have one parking spot reserved and the Road Department will be installing the handicapped parking sign in the near future.

Asst. Manager McNeill introduced Jake Cribbs who has been doing his internship at Butler Township this summer. He successfully completed the Local Update of Census Address (LUCA) project for Butler Township and will be shadowing various township employees during the remainder of his time in the Township to gain a greater understanding of all of the operations within the township.

Zoning Officer Hines updated the Board on the DCNR Grant for Butler Baseball.

Township Engineer Deiseroth reported on the progress of the storm water projects. He also thanked Manager Kirkwood for his assistance throughout the years and wished him well in his retirement.

Solicitor Black had nothing to report. She also expressed her appreciation for the guidance that she has received from Manager Kirkwood since she started at Lutz & Pawk.

Manager Kirkwood thanked the various boards and commissioners over the years for providing him the opportunity to serve this community. It was truly a privilege and honor to

be able to serve the residents of this township. He thanked everyone who provided him assistance over the years and thanked the staff who respected the office of manager.

Commis. Zarnick reported this will be the last meeting of the Butler Township Board of Commissioners with Ed Kirkwood as Manager. He expressed his thanks to Ed for all that he has done over the past eleven years to serve the residents of Butler Township.

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

Zoning Officer Hines presented information on the Davis Subdivision. The referenced Subdivision Plan is located along South Eberhart Road in the R-1 (Single Family Residential) Zoned District. The plan proposes a lot line revision. The plan would require an approval for an odd shaped lot.

Township Engineer Deiseroth noted that the plan is in conformance with the Butler Township Code.

Solicitor Black stated that there are no outstanding issues with the plan.

Motion by Commis. Vero to grant a modification for odd shaped lot in the Davis Subdivision. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Motion by Commis. Vero to grant final approval of the Davis Subdivision, contingent upon Butler County Review. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented information on the Fairfield Southpointe Land Development. The referenced Land Development Plan is located along Hillvue Drive in the A-1 (Agricultural) Zoned District. The plan proposes renovations to Building 1 and the addition of 13 new storage units.

Zoning Officer Hines explained that they did go before the Butler Township Zoning Hearing Board and were granted a special exception for a comparable use not specifically listed. He also explained that they are not movable self-storage units, they are permanent structures. The plan is in order for approval. Questions were taken from the Board.

Motion by Commis. Vero to grant final approval of the Fairfield Southpointe, L.P. Land Development. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented information on the PPC Lubricants Land Development. The referenced Land Development Plan is located along Bonnie Drive in the M (Manufacturing) Zoned District. The plan proposes the construction of a 1,460 square foot accessory storage building. He believes the plan is in order for approval.

Motion by Commis. Vero to grant final approval of the PPC Lubricants Land Development. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented information on the proposed amendments to the floodplain ordinance concerning the Community Identified Flood Hazard Area.

Township Engineer Deiseroth identified the specific areas that have been added to the map as flood hazard areas. Zoning Officer Hines stated that the affected residents will be notified once the amendment to the ordinance has been adopted.

Solicitor Black stated that the Board needs to make a motion to introduce the ordinance amendment and to authorize advertising of the ordinance before the next public meeting. She also stated the letters to the residents concerning the revised FEMA Floodplain Map should include a small disclaimer stating that the Township is not giving legal advice as to what type of insurance they are required to have or should have.

Motion by Commis. Vero to introduce an amendment to the floodplain ordinance to identify Community Identified Flood Hazard Areas and direct advertising of the amendment for the next meeting. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the Intergovernmental Cooperation Ordinance – Fire Chief. This ordinance pertains to the position of a shared Fire Chief that would serve Butler Township and the City of Butler.

Motion by Commis. Vero to adopt Ordinance No. 902, Intergovernmental Cooperation Ordinance – Shared Fire Chief. Seconded by Commis. Zarnick. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Motion by Commis. Vero to adopt the Intergovernmental Cooperation Agreement – Shared Fire Chief. Seconded by Commis. Wiest. Solicitor Black noted that though she agrees that the Board can agree to enter into an agreement with the City of Butler concerning the shared Fire Chief position, she advised the Board that policies are being drawn up that will potentially govern the position or the time or administrative functions that would be devoted to the Township by that Fire Chief. As these policies are put together the Board needs to make sure they are incorporated and acknowledged by the person who fills that position. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the amendments to Chapter 61 of the Codified Ordinance, the Manager's Ordinance.

Motion by Commis. Zarnick to adopt Ordinance No. 903, Amending Butler Township Ordinance Chapter 61 - Manager. 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 by the Wyncrest Estates residents for a stop sign to be installed on Wyncrest Drive. He recommended placement of two stop signs in the plan: One sign to be placed at the intersection of Wyncrest Drive and Wyncrest Drive and one at the intersection of Wyncrest and Mary Beth Drive. Zoning Officer Hines stated that there are currently six homes under construction in that plan. A discussion followed.

Motion by Commis. Zurzolo authorize the installation of two stop signs on Wyncrest Drive, as presented, for a ninety day trial period. Seconded by Commis Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Motion by Commis. Zarnick to appoint Tom Knights to the position of Manager. 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 position of primary delegate to the Butler County Tax Collection Committee and noted that an appointment needs to be made to this position. Commis. Lokhaiser nominated Cheryl McNeill for this position. Manager Kirkwood stated that she already holds the position as the alternate delegate.

Motion by Commis. Lokhaiser to appoint Cheryl McNeill as the primary delegate to the Butler County Tax Collection Committee. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Motion by Commis. Zarnick to appoint Tom Knights as the alternate delegate to the Butler County Tax Collection Committee. Seconded by Commis. Vero. 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.

Manager Kirkwood recommended that the newly appointed manager, Tom Knights, be appointed as the Chief Administrative Officer for pension purposes.

Motion by Commis. Wiest to appoint Tom Knights as the Chief Administrative Officer for pension purposes. Seconded by Commis. Zurzolo. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Manager Kirkwood stated that a new Right to Know Officer needs to be appointed.

Solicitor Black recommended keeping the individual that is in the manager position as the Right to Know Officer.

Motion by Commis. Vero to appoint Tom Knights as the Right to Know Officer for Butler Township. Seconded by Commis. Zarnick. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Manager Kirkwood presented information on the Professional Consultant Agreement between himself and Butler Township for the purpose of providing consulting services to the Township on an as needed basis.

Motion by Commis. Vero to approve the Professional Consultant Agreement with Ed Kirkwood. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Motion by Commis. Vero to reappoint Ron Henshaw of 114 E. Rockenstein Ave. to the Planning Commission for a 4-year term to expire July 2022. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

Motion by Commis. Zarnick to pass Resolution 18-16, appointing Tom Knights as the liaison between Butler Township and H. A. Berkheimer. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes and Zarnick: Yes. Motion carried.

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

Manager Kirkwood reviewed the bills report and the following totals were noted: General Fund - \$146,018.19; Highway Aid Fund - \$12,844.71; Park Development Fund - \$300.00; General Fund (added after June Bills Report) - \$210,360.75; Payroll Fund (prior month) - \$277,725.17.

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.

Mark Krenitski, 139 Winterwood Drive, commented in favor of the shared Fire Chief.

Questions were taken from the media.

Motion was made by Commis. Zarnick to adjourn the meeting at 7:41 p.m. Seconded by Commis. Vero and carried unanimously.

Theresa Gessler