

**MINUTES OF THE  
REGULAR MEETING HELD  
February 18, 2019**

The regular meeting of the Butler Township Board of Commissioners was held on February 18, 2019 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. James Lokhaiser, Jr. and Commis. Fred M. Vero. 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 Tom Knights, Assistant Manager Cheryl McNeill, Solicitor Rebecca Black, Zoning Officer Jesse Hines, Chief John Hays, Township Engineer Dan Deiseroth and Student Representative Joe Atkinson.

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 Media Group stated he was taping the meeting.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the February 4, 2019 meeting, there being none the minutes will stand as presented.

Pres. Zarnick noted receipt of the monthly Zoning Report.

Commis. Wiest reported on the Road Department activities for the month.

Commis. Zurzolo extended condolences to Dave Meeder and his family.

Commis. Zurzolo thanked the volunteer firefighters for all of their service.

Commis. Lokhaiser reported that he, along with Commis. Vero, Zurzolo and Zarnick and Manger Knights and Zoning Officer Hines attended the Volunteer Fireman's Installation Dinner on Saturday, February 9<sup>th</sup>.

Commis. Lokhaiser reported that the Butler Area Public Library will be celebrating their 125<sup>th</sup> birthday with a celebration on March 2<sup>nd</sup> from 8:00 a.m. to 5:00 p.m. The Library will continue to celebrate this milestone throughout the year with various activities.

Commis. Zarnick noted that forty years ago on February 9<sup>th</sup> the Butler Township Volunteer Fire Departments held their first installation dinner. Exactly forty years later they held the installation dinner for the newly merged Butler Township Volunteer Fire District.

Commis. Zarnick reported that he was in Harrisburg, for Lobby Day for the Pennsylvania Association of Township Commissioners, when they have an opportunity to speak with the various lawmakers concerning issues within the municipalities. He presented the list of items that were discussed with the State Representatives and Senators.

*Asst. Manager McNeill gave an update on the work going on at Preston Park. The Township is hoping that by early spring the park will be able to be reopened to the public.*

*Chief Hays reported that there are two remaining sessions for the Citizen's Police Academy.*

*Chief Hays reported that Lieutenant Pearson has reported back to work following his recent injury.*

*Student Rep. Joe Atkinson reported that students are starting to get more active in the community. A group of students have been doing litter clean up around the Senior High School and along the walkway from Hindman Road to the school. He also gave a report on the recent meeting held by Superintendent White concerning possible directions that the school district may be heading. One of the items discussed was school consolidations. He asked the Commissioners for any feedback they may have on the issue.*

*Zoning Officer Hines reported on the updated Fire District report that is attached to the Zoning/Fire Monthly Report. Chief Kevin Smith prepared the report this month using their emergency reporting software. The information that is contained in this report is better and now that the departments have merged into one department, this information can be presented in a simpler way. This report will be attached to the Zoning report each month.*

*Engineer Deiseroth had nothing to report.*

*Solicitor Black had nothing to report.*

*Manager Knights had nothing to report.*

*Commissioner Vero reported on two projects that the Township will be working on in conjunction with the Public Relations Program at Slippery Rock University. Two groups of students will be developing programs for the Township as part of their course of studies. The programs will be developing a recruitment program for the volunteer fire district and developing a program to get the new recycling program information out to the residents. Representatives of the two groups presented their plans to the Board.*

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

*Zoning Officer Hines presented information on the Butler Eye Care Land Development. The referenced Land Development Plan is located on Evans City Road in the C-2 (Convenience Commercial) Zoned District. The plan proposes the construction of a two-story, 4,410 s.f. optometrist and office building, parking area, and associated infrastructure. The Land Development went before the Zoning Hearing Board to seek a special exception and received approval from the Board for the use in the C-2 district.*

*Rich Craft, Olsen Craft and Associates, LLC, presented additional information on the Land Development.*

*Zoning Officer Hines stated that the plan seems to be far more in order than last month and recommends approval based on certain contingencies.*

Engineer Deiseroth stated that all of their comments have been addressed and recommended approval based on the contingencies.

Motion by Commis. Vero to pass Resolution No. 19-03, granting final approval of the Butler Eye Care Land Development contingent upon:

1. Gateway Engineers' Letter dated February 14, 2019,
2. Executed Developer's Agreement approved by the Township Solicitor,
3. Posting of Financial Security in the amount and form acceptable to the Township Solicitor, and
4. Butler Area Sewer Authority Approval.

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

Zoning Officer Hines presented the request by Speedway for the release of their amenities bond in the amount of \$839,108.60. Engineer Deiseroth and Zoning Officer Hines recommend approval of the release of the bond.

Motion by Commis. Vero to release the Speedway, LLC amenities bond in the amount of \$839,108.60. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Zoning Officer Hines presented information on the Speedway Infrastructure Resolution, which would acknowledge any easements and accept the storm water improvements that were made as part of the development of the property.

Engineer Deiseroth stated that they have inspected the improvements and reviewed the pipe that is being taken over by the Township and they are satisfied that Speedway has completed what needed to be done. He asked for language be added to the agreement so that the Township knows where responsibility lies when the pipe comes into the detention system.

Solicitor Black confirmed that language has been added which clarifies the storm water improvements for which the Township is accepting responsibility.

Motion by Commis. Vero to pass Resolution No. 19-04, accepting certain storm water improvements made as part of the development for property located at 400 Hansen Avenue. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Zoning Officer Hines presented the request by KFC to extend their final approval until May 20, 2019.

Motion by Commis. Vero to pass Resolution No. 19-05, extending the KFC final approval until May 20, 2019. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Zoning Officer Hines stated that a public hearing needs to be scheduled for the Sheetz, Inc. Liquor License Transfer for the store located at the corner of Meridian Road and Route 68. He recommended setting the date and time as March 18, 2019, at 7:00 p.m.

*Solicitor Black stated that the March 18<sup>th</sup> date meets the criteria of holding the hearing within forty-five days from the date of the request, avoiding the need to file for an extension.*

*Motion by Commis. Vero to set the date and time for the public hearing for the Sheetz, Inc. Liquor License Transfer for March 18, 2019, at 7:00 p.m. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.*

*Chief Hays presented information on the need to update the General Release of Liability Form for the Township Shooting Range and the need for a policy to be drawn up to acknowledge which agencies or individuals would have access to the range and any stipulations that these groups would need to follow. A discussion followed. Chief Hays and Solicitor Black were directed to draw up a resolution regarding use of the shooting range to be presented to the Board at the next meeting.*

*Solicitor Black presented information on the Carnegie Property donation agreement. The property donation has been approved by the Carnegie representatives and by Solicitor Lutz and now needs to be approved by the Township.*

*Motion by Commis. Lokhaiser to approve and execute the Carnegie Property Donation Agreement, as presented. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.*

*Manager Knights requested authorization to advertise the Financial Investment Manager Request for Proposal.*

*Motion by Commis. Zarnick to authorize advertising the Financial Investment Manager Request for Proposal. Seconded by Commis. Wiest. Commis. Lokhaiser asked if this manager would be over the Municipal Employee Pension Plan Investment only. Commis. Zarnick stated yes. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.*

*Manager Knights requested authorization to participate in the annual COSTARS Salt Agreement for August 1, 2019 through July 31, 2020.*

*Motion by Commis. Zarnick to authorize participation in the COSTARS Salt Agreement for August 1, 2019 through July 31, 2020. Seconded by Commis. Zurzolo. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.*

*Manager Knights requested authorization to draft specifications and advertise for the 2019 Road Resurfacing Project.*

*Motion by Commis. Zarnick to authorize the drafting of specifications and advertising for the 2019 Road Resurfacing Project. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.*

*Manger Knights presented information on the Butler County Parks and Recreation Grant. The grant request would be a continuation of last year's grant to further maintain*

and make some upgrades to the Butler Township Recreational Park Dek Hockey Rink and associated amenities. The grant is a maximum \$10,000.00 of which the Township is responsible for twenty-five percent of the funding.

Motion by Commis. Lokhaiser to pass Resolution No. 19-06, Butler County Parks and Recreation Grant. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Asst. manager McNeill reviewed the bills report and the following totals were noted: General Fund - \$469,184.30; Highway Aid Fund - \$136,340.30; General Fund (added after January Bills Report) - \$3,207.46; Payroll Fund (prior month) - \$271,132.99.

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


Manager Knights read a letter from Barb Moran, stating her intent to retire from her position as Butler Township Road Department Secretary.

Commis. Zarnick asked for public comment on any item of concern – there were none.

Nicole Turner announced her candidacy for Judge in Butler County.

Questions were taken from the media.

Motion by Commis. Zurzolo to adjourn the meeting at 7:29 p.m., seconded by Commis. Vero and carried unanimously.

  
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