

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

The regular meeting of the Butler Township Board of Commissioners was held on March 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, Public Works Director Dave Meeder, 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. No one taped the meeting.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the February 18, 2019 meeting, there being none the minutes will stand as presented.

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

Commis. Vero had nothing to report.

Commis. Lokhaiser reported the Butler Township Volunteer Fire District applied for and was granted a \$2,000.00 Walmart Community Grant. He thanked the Walmart Foundation for the grant and the Fire Department for taking the initiative for applying for the grant.

Commis. Lokhaiser reminded everyone that burning of yard waste is permitted in the Township during the months of March and April. Please check out the Township website or contact the Zoning Department for the burning regulations

Commis. Lokhaiser reported that the Friends of the Library will be holding a used book sale at the Library the weekend of March 22<sup>nd</sup> and 23<sup>rd</sup> from 9 a.m. to 3 p.m.

Commis. Lokhaiser wished Barb Moran a happy retirement. A luncheon was held in her honor today.

Commis. Lokhaiser commended Student Rep. Joe Atkinson on his performance in the Butler Area School District Musical, "Cinderella". The entire cast put on a first class production.

Commis. Zurzolo extended best wishes to Barb Moran on her retirement.

Commis. Wiest had nothing to report.

Commis. Zarnick congratulated the Butler County Community College on being named the top community college in the State for the third year in a row.

Commis. Zarnick announced that Butler Township will once again participate in the Great American Clean-up. He recognized a couple who have volunteered to do roadway clean-up along Litman Road. This is their third year of doing clean-up along this roadway. They collected ten to twelve bags of garbage and various car parts in this area. Anyone interested in participating in a clean-up in Butler Township is to contact the Administration Office. Gloves, safety vests and trash bags will be provided.

Commis. Zarnick noted that Butler Township has received the Banner Community Award for 2019.

Chief Hays reported that all of the officers have been re-certified in CPR, AED and First Aid and most of the officers have completed their annual update.

Asst. Manager McNeill stated that the Banner Community Award is a program through Allegheny County. Cranberry Township and Butler Township are the only Butler County municipalities to receive this distinction. The award is based on operating according to local government best practices and sustainability. She hopes to see this type of program in Butler County in the near future.

Public Works Director Meeder reported on the work of the department.

Student Rep. Atkinson reported that he has been asked by the students to get information on what the Public Works Department does, so he will be reaching out to the members of the Public Works Department to get clarification on what goes on within that department and will report back to the students.

Solicitor Black had nothing to report.

Engineer Deiseroth had nothing to report.

Zoning Officer Hines had nothing to report.

Manager Knights had nothing to report.

Pres. Zarnick asked for public comment on agenda items.

Micky Fazzino, 131 William Road, had questions concerning Agenda Item No. 5, Preston Park Storm Damage Remediation.

Joyce Keefer, 113 Lawrence Avenue, had questions about Agenda Item No. 4, Sheetz Liquor License Transfer, and commented on the need for a liquor license at Sheetz. Solicitor Black commented that the agenda item that Ms. Keefer is referring to is actually only concerning a rescheduling of the public hearing on the Sheetz Liquor License Transfer. The commissioners will not be able to address her questions tonight. She will need to return and asked her questions during the actual public hearing where a Sheetz representative will be able to address her concerns.

Zoning Officer Hines presented information on the Reamer Plan No. 4 Subdivision. The referenced Subdivision Plan is located off Fortieth Street on Sarra Lane in the R-1 (Single Family Residential) Zoned District. The plan proposes lot line revisions. Zoning Officer Hines explained that the plan is in both Butler Township and Connoquenessing Township. Everything is in order for approval contingent upon Connoquenessing Township's approval.

Engineer Deiseroth stated he had no outstanding comments.

Solicitor Black clarified that the 25 foot easement is recorded on the current deed by the instrument number, so it will be recorded on the new deed when one is generated.

Dan Reamer, 120 Sarra Lane, was present to represent the plan and stated that he has gone before the Connoquenessing Township Board and has received their approval of the plan.

Motion by Commis. Vero to grant final approval of the Reamer Plan No. 4 Subdivision contingent upon Connoquenessing Township approval. 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 Edmiston Subdivision. The referenced Subdivision Plan is located at the intersection of Ferguson Avenue, Campbell Avenue, and Shady Way in the R-1 (Single Family Residential) Zoned District. The plan proposes to consolidate two lots into one lot. The mobile home that was on one of the lots has been removed. Everything is in order for approval.

Motion by Commis. Vero to grant final approval of the Edmiston Subdivision. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Zoning Officer Hines presented information on the Savage Subdivision. The referenced Subdivision Plan is located at the intersection of Nixon Avenue, Campbell Avenue, and Shady Way in the R-1 (Single Family Residential) Zoned District. The plan proposes lot consolidations. Everything is in order for approval.

Motion by Commis. Vero to grant final approval of the Savage Subdivision. Seconded by Commis. Wiest. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Zoning Officer Hines stated that the public hearing for the Sheetz, Inc. Liquor License Transfer for the store located at the corner of Meridian Road and Route 68 that was scheduled for tonight needs to be rescheduled. He recommended setting the date and time as April 15, 2019, at 7:00 p.m. A written confirmation that they are extending the time line up to and including that day has been received.

Motion by Commis. Vero to set the date and time for the public hearing for the Sheetz, Inc. Liquor License Transfer for April 15, 2019, at 7:00 p.m. Seconded by Commis. Wiest. Commis. Lokhaiser asked if this meeting will need to be re-advertised and will Sheetz be covering this expense. Zoning Officer Hines stated that the hearing needs to be advertised and Sheetz is responsible for all costs associated with the

hearing. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Manager Knights introduced Bob Carlberg, a consulting forester, who was present to give an update on the Preston Park storm remediation. Mr. Carlberg stated that he personally identified all of the trees that needed to be removed due to storm damage. Of the trees that were marked for removal 181 had actual usable material in them which could be made into boards and have value. In addition to these trees there were 327 culled trees removed. A culled tree is one that has little or no usable material in them. A lot of these trees were trees that had previously been identified for removal. He commended the work of the timber harvesters who were able to remove these trees safely from the park. Most of the tree removal has been completed at Preston Park. He stated that there are a few trails with in Sawmill Run Park that have trees that need to be removed and he advised addressing these trees in the near future.

Asst. Manager McNeill asked for clarification concerning the original multiyear plan for removal of the over 300 dead trees in the park, that due to the ice storm, this project has been completed in one season. Mr. Carlberg stated that all of the work that needed to be completed by a professional has been completed.

Solicitor Black asked, for clarification, what was the underlying purpose of the original forestry program that was started a year and a half ago. Mr. Carlberg stated that Preston Park is an extremely mature forest, meaning a lot of the trees are really big and really old and because of this they are more susceptible to issues. Initially trees were marked that were not only dead but also trees that had damage from which the trees would not be able to recover.

Manager Knights presented the proclamation to declare April as "Safe Digging Month" in Butler Township which will be presented to Pennsylvania One Call.

Motion by Commis. Zarnick to issue the proclamation to PA One Call to declare April as "Safe Digging Month" in Butler Township. Seconded by Commis. Lokhaiser. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Manager Knights presented the request to accept the retirement of Barb Moran as the Public Works Department Secretary.

Motion by Commis. Wiest to accept the retirement of Barb Moran as Public Works Department Secretary. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Chief Hays presented the resolution updating the General Release of Liability and Use Agreement for the Township Shooting Range.

Solicitor Black gave an overview of the agreement and explained that the agreement is worded in a way that allows it to be altered if need be.

Motion by Commis Zarnick to pass Resolution No. 19-07, General Release of Liability and Use Agreement for the Township Shooting Range. Seconded by Commis.

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

Manager Knights introduced the revisions to the Solicitation Ordinance and requested authorization to advertise. The main revision is in regards to the hours which will now read: 9 a.m. to sunset.

Motion by Commis. Zarnick to introduce the Solicitation Ordinance Revisions and to authorize advertising of the revisions to the Solicitation Ordinance. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Solicitor Black introduced the Business Privilege Ordinance Revisions and requested authorization to advertise.

Motion by Commis. Zarnick to introduce the Business Privilege Ordinance Revisions and to authorize advertising the revisions to the Business Privilege Ordinance. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

Manager Knights presented information on the publication of the next Township Newsletter. The Township has contacted an outside company to publish a newsletter with the cost of publication being covered through advertisement by local businesses. The only cost to the Township would be for the postage. He would like to proceed with the publication and is seeking approval of the expenditure of an estimated \$3,100.00 in postage fees.

Motion by Commis. Vero to authorize the funds to go towards postage expenses for the Township newsletter. Seconded by Commis. Wiest. 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 - \$244,601.71; Highway Aid Fund - \$30,199.43; General Fund (added after February Bills Report) - \$3,096.30; Payroll Fund (prior month) - \$271,192.65.

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.

Micky Fazzino, 131 Williams Road, commented on how Preston Park was being managed, the draining issue in Northwest Manor, and a violation letter that he received concerning a fence that he installed.

Commis. Zarnick adjourned the meeting to executive session on personnel matters at 7:35 p.m. The Board will reconvene.

Commis. Zarnick announced that the meeting was back in session at 8:00 p.m.

*Solicitor Black requested authorization for the manager to extend an offer of employment under specific guidelines to an individual to fill the position vacated by Barb Moran in the Public Works Department.*

*Motion by Commis. Zarnick to authorize the manager to extend an offer of employment under specific guidelines to an individual to fill the position vacated by Barb Moran in the Public Works Department. Seconded by Commis. Vero. The vote was Vero: Yes; Lokhaiser: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.*

*Questions were taken from the media.*

*Solicitor Black commented on the Lily Pond that was filled in at Preston Park and for clarification purposes asked Manager Knights to explain why the decision was made to fill it in and who was involved in making this decision. Manager Knights explained that the infrastructure of the pond failed and after examining the extent of the failure over the years it was determined that it could not be repaired without spending an extreme amount of funds. The lily pond had been cleaned out several times and each time the pond failed to maintain a viable ecosystem. To continue to leave it in a stagnant state would be a hazard so it was decided to fill it in. The Preston Park Advisory Board and Bob Shott were involved in this decision.*

*Motion by Commis. Zarnick to adjourn the meeting at 8:10 p.m., seconded by Commis. Zurzolo and carried unanimously.*

*Theresa Giesler*

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