

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – OCTOBER 9, 2019

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, October 9, 2019, in the Buffalo Township Municipal Building and convened at 7:35 pm.

The Meeting was called to order by the Chairman, Ron Zampogna. Meeting is being recorded. If anyone is taping this Meeting, please state your name and address.

Roll Call

Ron Zampogna III	Present
Matthew J. Sweeny	Present
Albert T. Roenigk	Present
Gary L. Risch, Sr.	Present
John Zurisko	Present

A majority of the Board of Supervisors being present, the Chairman declared the Meeting open for the transaction of business.

ANNOUNCEMENT OF EXECUTIVE SESSIONS; PERSONNEL; AND/OR INFO-GATHERING MEETINGS OF THE BOARD

- a) John Zurisko attended the PRC Meeting on Tuesday, October 1.
- b) John Zurisko and Gary Risch attended the Planning Commission Meeting on Wednesday, October 2.
- c) The Board of Supervisors met with their Solicitor in the Township Municipal Building on Wednesday, October 9.

APPROVAL OF THE MINUTES of the September 11, 2019, Regular Monthly Meetings, as recorded, was on motion of Matt Sweeny, seconded by Albert Roenigk. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for September 1-30, 2019 inclusive for audit, was on motion of John Zurisko, seconded by Matt Sweeny. Motion Carried. Un. Approval.

MONTHLY BILLS

After reviewing the invoices and bills presented for payment, it was on motion of Matt Sweeny, seconded by Albert Roenigk to pay the monthly bills. Motion Carried. Un. Approval.

REPORTS

(1) THE ELECTED TAX COLLECTOR’S REPORT (CARLA GARIA):

- **SEPTEMBER 2019:** Twp. Real Estate Tax is \$886.25, Per Capita Penalty \$110.00

(2) THE APPOINTED TAX COLLECTOR’S REPORT (BERKHEIMER):

- **SEPTEMBER 2019:** Earned Income Tax is \$118,565.32; Local Services Tax is \$187.65

(3) THE APPOINTED TAX COLLECTOR’S REPORT (SHARPS):

- **SEPTEMBER 2019:** Twp. share: \$197.50

(4) WEEKLY STAMP SALES (DEED TRANSFER’S):

- **SEPTEMBER 2019:** \$18,294.42

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(5) ZONING OFFICER’S REPORT (RICK HEALEY):

- **SEPTEMBER 2019:** 12 Permits Issued, 4 Grading Permits, 4 Single Family Residences, 1 Residential Garage, 2 Decks/Porches/Roof, 1 Residential Storage
Building Permit Fee: \$2,999.75, Mileage: 156, Grading Permit Fee: \$40.00
Lot Development Fund: \$400.00

(6) THE DISTRICT JUSTICE’S REPORT:

- **SEPTEMBER 2019:** Ordinance & Statute Violations \$33.82, Code Violations \$418.18

(7) BUFFALO TWP. POLICE REPORT:

- **SEPTEMBER 2019:** Total calls 141

OLD BUSINESS

APPROVAL OF THE REVISED EMPLOYEE PENSION PLANS FOR YEAR BEGINNING JANUARY 1, 2020

On a motion of John Zurisko, seconded by Matt Sweeny to approve Police Pension Plan Minimum Municipal Obligation Form at \$61,564 beginning January 1, 2020. Motion Carried. Un. Approval.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve non-uniformed Employees’ Pension Plan Minimum Municipal Obligation Form at \$96,076 beginning January 1, 2020. Motion Carried. Un. Approval.

NEW BUSINESS

APPROVAL TO SET DATE/TIME & ADVERTISE FOR THE BUDGET WORKSHOP

On a motion of Matt Sweeny, seconded by John Zurisko to set the date and time for Sunday, November 10, 2019 at 8:00 am and approval to advertise for the Budget Workshop. Motion Carried. Un. Approval.

Gary Risch asked if when working on the Budget for 2020 if they could take into consideration possibly budgeting for a new tractor which is around 38-39 years old that probably should be replaced. We might want to look at that in the Budget. And also, the payloader which is over 20 years old. I looked into it a year or so ago. The price of a new one and they have a rental, where every 4 years you get a new one. Gary asked if both he and Bob Fletcher, Road Department Employee could take a day and look around to get some pricing on tractors. We could see what a tractor and mower would cost and maybe have Bob check into a payloader upgrade since ours is 20 years old so we can look into this for the budget. John Zurisko asked if 20 years old is old for a payloader? Gary asked Bob what he thought. Bob stated it’s 20 years old and that it is the machine that we use the most. Bob stated that actually the Road Department needs a lot. We need to keep repairing things all the time and it’s costing the Township a ton of money. Bob Fletcher stated that they need a new truck as well. When the 98 truck was taken to Bauman’s for inspection, he was told that this would be the last year that they would inspect it. They will not pass it next year. It needs a lot of work. After much discussion between the Board, it was decided that Gary and Bob could go and get some pricing on these items.

John Zurisko stated that last spring we discussed getting a power broom for the skid loader and asked if there is still a need for one at this time of year or if it would be put to better use in the spring. Bob Fletcher stated that it could be used now depending on the weather. Ron asked if we have any pricing for this. Bob stated that we had a quote in the amount of \$6,700.00 for an 8-foot power angle sweepster mower from Stephenson Equipment. I am sure you could get it cheaper. Stephenson’s have ones that you have to get out

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and move it for \$2,700.00 but that is another piece of equipment that we use constantly. Gary asked Bob to check with CAT. Bob stated they are about the same price. Ron asked Bob about the broom again.

On a motion of Gary Risch, seconded by John Zurisko to purchase a power broom for the skid loader through Costars. Motion Carried. Un. Approval.

Gary asked Bob if the bed on the white Ford ever sandblasted and painted? Bob replied that he took in over to Dan Bauman and at that time he was busy and said that he would come over here and take a look at it, so I am not sure if it was ever done. Gary stated we were to get that done last year. Matt replied that he spoke to John about and once they were done working on the roads its was going to get taken care of.

Ron Zampogna stated that it was brought up at one point about needing a cut saw for the Road Department. Bob replied yes, we do need a cut saw. Ron stated that he spoke with someone that gave him a price for a cut saw and 10 blades for a total price of \$1,200.00. Bob stated that we did a job today and we had to rent a trash pump. It would be nice to have one, so we don't have to rent these type of items. Not sure what they cost because I haven't priced them. Ron replied, if you let us know then we could help you out.

Bob stated that they did a job on Younkings Drive where they put in a storm drain. He wanted to know if Ken would go out and look at it. Bob stated that he feels there needs to be more work done in that area. Albert Roenigk stated that he doesn't feel we need to put more money into that area. Ron asked Ken if he could look at it and Ken replied yes. Gary Risch asked Ken if he could look at a property down the road.

Janice Zubrin, Buffalo Township Secretary/Treasurer reminded the Board that the quarter just ended, and they have spent quite a bit of money this year and the funds are low and need to be replenished before anything more is purchased. Ron asked are you okay for the sweeper? Janice replied, the funds are low. Ron replied, then let us know when the funds are up enough that you are comfortable with the sweeper broom being purchased.

APPROVAL TO ADVERTISE FOR THE 2020 BUDGET PRESENTATION AND ADOPTION

On a motion of Albert Roenigk, seconded by John Zurisko to approve advertising the 2020 Budget Presentation in November and Adoption in December. Motion Carried. Un. Approval.

APPROVAL TO APPLY FOR A TAX ANTICIPATION LOAN FOR 2020

On a motion of Matt Sweeny, seconded by John Zurisko to approve applying for a Tax Anticipation Loan for 2020. Motion Carried. Un. Approval.

APPROVAL TO ADVERTISE THE BOARDS INTENT TO CONTRACT WITH A CPA FOR THE 2019 AUDIT

On a motion of Gary Risch, seconded by Matt Sweeny to approve advertising the Boards intent to contract with a CPA (JD Hill) for the 2019 Audit. Motion Carried. Un. Approval.

APPROVAL TO ORDER AND PURCHASE A 2020 FORD INTERCEPTER SUV FROM TRI STAR MOTORS

Ron Zampogna stated that the 2014 has 140,000 miles on it. We have discussed in the past about rotating the fleet. They will give us \$7,000 on trade in of the 2014, making the price for the 2020 Ford Interceptor \$37,948.67. Chief Derringer stated that there will be no money due until the new one arrives which would be approximately in 6 months. No payments will be due until next year obviously. Matt Sweeny stated that we have a car that is coming off of payment. Ron asked Janice if we are okay with this. Janice

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replied, a huh. Gary stated that Tim will be looking into payment options. Tim stated that he spoke with Janice about this. Ron stated that Tristar Motors was the best out of 3 quotes.

On a motion of Gary Risch, seconded by John Zurisko to approve ordering and purchasing a 2020 Ford Interceptor SUV from Tri Star Motors in the amount of \$37,948.67. Motion Carried. Un. Approval.

ANNOUNCEMENT: PLEASE CHECK WITH YOUR GARBAGE HAULER REGARDING CHANGES IN RECYCLABLE ITEMS PER BUTLER COUNTY RECYCLING PROGRAM

ANNOUNCEMENT: SATURDAY, NOVEMBER 16, 2019 FROM 10 AM TO NOON THERE WILL BE AN INFORMATION SESSION AT THE WESTMORELAND COUNTY COMMUNITY COLLEGES ADVANCED TECHNOLOGY CENTER CONCERNING FIRST ENERGY'S POWER SYSTEMS INSTITUTE FALL 2020 PROGRAM

DISCUSSION REGARDING REQUEST BY PLANNING COMMISSION TO UPDATE/REVISE THE COMPREHENSIVE PLAN

Ron Zampogna stated that the last Joint effort was 13 years ago with Clinton Township. Grant McConnell, Chairman of the Buffalo Township Planning Commission stated that the foundation of the plan is good and every year we look over it. I think it is about time that we do a comprehensive refresh. I don't think we have to start from scratch, but it might be a workshop or 2 with help from a consultant. Ron Zampogna asked who the consultant was at that time? Ray Smetana replied, Rick Grossman. When Rick Grossman was here doing the Ordinance updates, he stated that it has been quite a while since the Comprehensive Plan was updated. He felt that it would be an easy update. Ken Howard stated that we do not have to do this with Clinton Township and that there may be grants available that we could use to cover the costs. We were able to get a grant back then if you had a Joint Comprehensive Plan. So that is why we went together with Clinton Township. The Board agreed that Rick Grossman should be contacted to get a price from him so it can be added to the 2020 Budget and see if he knows of any grants that would possibly be available to offset some of the cost.

APPROVAL TO AWARD THE ANTI-SKID BID CONTRACT

Albert Roenigk opened the bid packet and stated that it was from McClymond's. The bid was for 1,000 ton more/less as needed at \$18.31/ton in the amount of \$18,310.00 and included a Bond with the bid packet.

On a motion of Matt Sweeny, seconded by John Zurisko to approve and award the anti-skid bid contract in the amount of \$18,310.00 to McClymond's. Motion Carried. Un. Approval.

APPROVAL TO AWARD THE BID FOR THE TONCO TRAILER

On a motion of John Zurisko, seconded by Albert Roenigk to approve awarding the bid for the Tonco Trailer to Thomas Geibel in the amount of \$957.27. Motion Carried. Un. Approval.

APPROVAL TO APPLY FOR PENNDOT 2020-2021 MULTIMODAL TRANSPORTATION GRANT

Ken Howard stated that PennDOT is currently taking applications for a Multimodal Transportation Grant. The deadline to apply is November 8, 2019. In the past we have been successful in obtaining some of that money and used it at paving the Butler-Freeport Community Trail. I know that we were unsuccessful with the last grant application which was for recreational type grants for repairs and rehabilitation for some areas that needed addressed. It may be wise for us to pursue this grant if we could include some paving on the worst areas on the trail and some rehabilitation work that we have talked about. The application is due by

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November 8th. The project has a 30% match for the grant amount. It would be administered through Penn Dot just as it was with the last paving project when we paved 10 miles of the trail with Multimodal Funds. Ron asked if there is a minimum? Ken replied, \$100,000 up to \$3 million dollars in project costs. Our project budget for the last rehabilitation grant was around \$287,000.00. If we were to add some paving to that work, this may be in the range of \$400,000.00 possibly that we could apply for if you are open for that? This could be something that might be worth pursuing. Ron asked, what is the time schedule in which we would need to use this money. Ken replied, there is a 3-year window I believe once you are awarded it. So, you would be able to spread your match out over a certain period of time. You wouldn't even know about this grant until this time next year at some point. It does take multiple years to get the funds, enter into agreements, bid the projects and bill the projects. You wouldn't have to put that money out right up front. Ron asked if there are any questions? Gary asked if Chris could possibly come up with a match? Chris replied that she could look into it. The Board agreed that this would be something to look into. Chris stated that we have been talking for years about possibly asphaltting between Cabot and Marwood since Concordia is just up the road and we were going to approach the nursing home for matching funds because they could do day trips, so this has been on our radar for some time. Ken stated that he would be in touch with Chris regarding this grant. Jim Bonner stated that Jeff Pyle is still on that committee.

On a motion of Matt Sweeny, seconded by Gary Risch to have Ken Howard with Bankson Engineers move forward on the Multimodal Transportation Grant Application. Motion Carried. Un. Approval.

APPROVAL TO PURCHASE A NEW SWITCH FOR THE GENERATOR

Ron Zampogna stated that the other day the Township Office lost power due to a tree falling onto the power lines across from the building. We do have a generator that was purchased a few years back so that there is a source of power in the building but when the power went out, the generator kicked on, but unfortunately, the power did not kick back on to the Township Building. Gary Risch came over and had an electrician come out and they found out that the switch was burnt up. We got a price on a new switch for that because we have a healthy investment in the generator, and it should work when we need it. Gary Risch asked if the township's insurance would cover that? The reason that it burnt up is because the moisture from the furnace caused condensation to form in the panel and caused the inside to corrode. Would the insurance pay for that? Atty. Lutz stated that it wouldn't hurt asking. Ron asked Janice what the deductible is? Janice replied, it varies. Ron asked Janice if she would look into that and she replied, yes. Ron stated that the new switch quote will cost \$3,936.43, which covers the new switch, labor and other incidental material. Ron stated that we do need to move forward with this because not only do we need power here for the Township Office and building to run but we are an emergency hub for the Township as well.

On a motion of Matt Sweeny, seconded by Albert Roenigk to get the switch repaired with or without the assistance of the insurance company. Motion Carried. Un. Approval.

APPROVAL TO AMEND THE PARKS & RECREATION COMMITTEE BY LAWS

John Zurisko stated that he attended the Parks and Recreation Committee Meeting the other night, and they want to change their by-laws to show that the liaison for the Township can be a voting member instead of a non-voting member. Gary asked who is the liaison now? Ron replied, it is John. Gary asked if John is a voting or a non-voting member? John replied, non-voting. The Board agreed that this change made sense. Ron asked Atty. Lutz if they had to vote on this? Atty. Lutz stated that they have by-laws so they would

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have to be changed to reflect this so you would need to make a motion to amend the Parks & Recreation By-Laws to reflect that the Township Liaison will now be a voting member.

On a motion of Albert Roenigk, seconded by Matt Sweeny to amend the Parks & Recreation By-Laws to reflect that the Township Liaison will be a voting member. Motion Carried. Un. Approval.

LAND DEVELOPMENT

BUFFALO CREEK NATURE CENTER – 154 MONROE ROAD – SITE PLAN

This proposed project involves site improvement to a property formerly known as the Oregon Club, owned by Buffalo Township, to support the renovation of an existing building as a nature center by the Audubon Society of Western Pennsylvania. The present zoning of this property is C-1 and the proposed property is 5.88 acres.

The Township office is in receipt of the Site Plan, Filing Fee was waived per Board of Supervisors 9/11/19 RMM, Application, Stormwater Management Plan, Erosion & Sediment Control Plan, Butler County Planning Commission Comments: Received 9/20/19. BCPC did not have any comments on this plan, Municipal Authority Comments: Public water is not available for this location. A tap for public sewage does exist at this location & contractor is approved to use these tap. Inspection of the tap will need to be coordinated with our office as well as a meter set on the well (fee applies). The work in and around the Authority's sewage force main line is a concern. There is an area planned for cleaning and grubbing, which crosses the force main in some areas. The bituminous walking trail and aggregate paving of the private lane crosses the force main in some areas. The authority requests involvement with pre-construction meetings for work within the Authority's easement and force main line. The contractor/owner is reminded that if there is an issue with the main line and works needs done, the Authority is not responsible for damage caused to any paths, walkways, driveways, etc., that cross the main line. Bankson Engineer Comment letter received 9/30/19. Buffalo Township Planning Commission Comments: Favorable recommendation at the 10/2/19 PC Meeting contingent upon Bankson Engineers review of the response letter received from Pashek+MTR on 10/2/19.

Ken Howard stated that they received a set of plans and design documents from Pashek Associates on behalf of Audubon and we have done a review of the plans. They are seeking approval of the Preliminary Site Plan, not Final Approval. We had comments in our letter regarding some of the issues mostly regarding stormwater management designs. We received a response letter from their consultant addressing the concerns that were in our letter but being that this is just a preliminary approval, we have not had time to look into their response letter. The information was provided 2 hours before the Planning Commission meeting. So, with that in mind, I believe we could offer preliminary approval of the site plan as presented with the contingency that they will have to come back in front of you with the final plan and will have addressed all of our concerns and hopefully those would be presented to the Planning Commission at a later date for final approval. One item that is on the list is that on this property, the township prepared a subdivision plan to create a one and a quarter acre parcel for the Audubon and to establish an easement up through the middle of that parcel back when the building was supposedly on the top side of that parcel as shown on the map. They are now not putting the building in that location and based what Jim Bonner is telling us, they do not need to own a portion of that land to comply with one of the grant requirements. Our recommendation would be that we would have a Subdivision prepared to undo that lot line and to change that easement, so it follows the curved driveway as it exists and as they propose to use it. Our office would develop that plan and provide that

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and then it be processed as part of the final approval. Ken asked Jim when they would be coming back in with the final? Jim answered in November. So, we can then move forward with the preliminary as presented.

On a motion of Gary Risch, seconded by Matt Sweeny to approve the Buffalo Creek Nature Center Preliminary Site Plan contingent on the Audubon coming back for final approval and having Bankson Engineers prepare the Subdivision Plan. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

Chris Zeigler, President of the Trail Council stated that everything is doing well with the Trail Council. The Half Marathon is next Saturday, and everything is in order for that. We have done a lot of work on the trail from the storm damage in May. We have had 2 workdays on the trail within the past month. We ditched from Cabot to Sarver and from Monroe Road to Laneville. We also had a contractor do Sarver to just south of Bear Creek and they will be putting the top on that section tomorrow. We would like the Road Department to take a look at some areas on the trail just north of Monroe where there was a washout. We should be caught up with the storm damage from the spring but there are still several things that we will be working on over the winter. There have been some scouts doing projects on the trail as well. We will be getting more scout projects and they will all need addressed. We have been working with Amy Amadee on a flag pool with a light in memory of Don Amadee and will be planning a flag raising ceremony in the near future. Ron Zampogna stated that the Municipal Authority fixed the section of trail at Monroe Road.

Renee Alchier, Audubon Society of Western PA stated that we have some volunteer days coming up. On October 19th and November 2nd there will be tree planting along the Little Buffalo Creek to improve the water quality and habitat for the future Buffalo Creek Nature Center. We have our Creatures of the Night which is a family friendly Halloween adventure on October 26th. Learn about some of the nocturnal animals and see Bob the Owl.

Kevin Brett with Lennon, Smith, Souleret Engineering, Inc. was in attendance along with a representatives from Ryan Homes and John Allen to provide an update on Twin Oaks and address any questions that you may have. Ken had issued a letter and we actually gave response back today. It identified concerns that the township had with Phase 1 and some erosion issues. Ken has not had a chance to review this letter and I am not looking for a response tonight. Kevin handed out the response letter to the Board members and responded to every comment that Bankson Engineers had in their review letter which was dated July 18, 2019. Pete Robertson, Division Manager with Ryan Homes stated that he wanted to thank the Supervisors for allowing 2 of their residents to move in the end of last week. Ron Zampogna stated that we are not trying to be difficult with Mr. Allen or any of the families, we just felt that it was the right decision to make under the circumstances and to move forward in the right direction. We still feel that there are a lot of unanswered items here and hopefully they can be resolved sooner than later. We know you want to get back on track and I am sure Mr. Allen feels the same. Our concern was that we did not want to hold up the new residents with the Occupancy Permits and that was the main reason that we agreed to issue them but in the same breath we need to protect the residents that are on this list that are getting flooded. You can't control the rain, and neither can we but it's not their fault either. As long as you know where we are at. We want to work with you, and we are going to work with you. Pete replied that we are asking for a clear line of communication. The first time we were aware that the township had a concern is when we were shut down. I contacted Mr. Howard and asked for a copy of the letter to try and understand the townships concerns and I think you can see that we have responded pretty aggressively to address the items on the list. I know that

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some of you are in the business and know that if the homeowner has sold their home and is about to move, it is pretty difficult to get into temporary housing. We do appreciate you working with us. Ron Zampogna replied that we hope these issues can be rectified sooner than later. Kevin Brett stated that we do believe we will be able to meet the ordinance with no issues, but we cannot make water disappear and just want everybody to be on the same page here. If we reduced it by 60%, the ordinance allows 100% we will be building suspensions but don't want anyone to have the misconception. If somebody got a foot of water in their yard prior to us doing the development, they will still get a foot of water in their yard. Some of these drainage ways are just that and some of the people built over top of these drainage ways. We will lesson the water going to these properties and meet the ordinance that has been passed. Ron stated with respect to the situation, if Mr. Howard is satisfied then we shouldn't have a problem.

ADJOURNMENT was on a motion of Gary Risch, seconded by John Zurisko at 8:55 pm. Motion carried. Un.
Approval.

APPROVED:

CHAIRMAN

SECRETARY