

**BUFFALO TWP. SUPERVISORS – REGULAR MONTHLY MEETING – JAN. 7, 2019**

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Tuesday, January 7, 2019, in the Buffalo Township Municipal Building and convened at 7:15 p.m. This Meeting is being recorded. The Meeting was called to order by the Chairman, Ron Zampogna III. 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.

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

- (a) The Board of Supervisors met with Bob Holbein & Ed Smith at the township building regarding the 3 Bay Truck Garage on Saturday, Dec. 15

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**APPROVAL OF THE MINUTES** of the December 12, 2018, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Albert Roenigk. Motion Carried. Un. Approval.

**MONTHLY BILLS**

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

**OLD BUSINESS**

**DISCUSSION REGARDING FEE SCHEDULE FOR SOLAR PANELS - TABLED**

Atty. Brian Farrington stated that other Municipalities have enacted certain Ordinances or provisions that would provide for Solar Panel Fees for putting Solar Panels into place. With some of the tax credits that will slowly be fading out over the next three years it's probably good practice that we have something on the book. Mainly to ensure people aren't putting them up too close to roadways, right next to their neighbor's house, in those areas. With that being said, Code Sys charges for the

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inspection of those panels. It's \$32.40 for the first panel, \$10.80 for each additional panel, plus a \$4.50 state tax fee. Therefore, it is the Solicitors recommendation that the Board enact a \$50.00 to \$75.00 flat fee for our inspection to make sure it complies with all building requirements etc....for the required township Code Officer to inspect. Ron Zampogna asked, so we would enact the \$50.00 or \$75.00 per your recommendation and Code Sys would pass along their fees in addition. Atty. Farrington stated yes. Atty. Lutz stated, you may want to run that by the Planning Commission before making any decision. Peggy Bonfilio, Julia Road asked if that includes ground mounted, roof mounted or both? Atty. Farrington replied that would be at the discretion of what the Planning Commission would decide to enact. So, there would be different Ordinances based on roof mounted or ground mounted. Atty. Lutz stated, the fee schedule would be the same, I think that is what she is asking. Ron stated, so we really don't need to act based on the motion or do we need to table it. Atty. Lutz stated that you can adopt that Fee Schedule for the time being and you can always change it if the Planning Commission wants some further input with regard to it. If you want to decide \$50.00, \$75.00 plus the Codes Sys costs. John Zurisko asked if those costs are in line with what other townships are charging? Brian stated that it typically works out to be the same with the flat fee. Ron stated we can approve it on your recommendation, or we can wait and see what the Planning Commission thinks. If it is pressing, then we can make a motion but if not then we should wait until the February Planning Commission Meeting and discuss it. Matt Sweeny stated that we should run it past the Planning Commission and get their input then we can vote on it at the next meeting. Ron asked Atty. Lutz should we table it then? Atty. Lutz replied yes, table it and we can take another look at the February Meeting.

On a motion of Matt Sweeny, seconded by John Zurisko to Table setting the Fee Schedule for Solar Panels until discussed with the Planning Commission in February before making a decision. Motion Carried. Un. Approval.

### **DISCUSSION REGARDING AWARDING OF BID TO HOLBEIN INC. FOR THE TRUCK GARAGE CONTRACT 18-1 – TABLED**

Ron Zampogna stated that the township was given a proposal, we approved and accepted it from Holbein Inc. regarding the 3-Bay Truck Garage. Since then we have taken into consideration adding a 4<sup>th</sup> Bay. Holbein Inc. has since come back with a cost for that 4<sup>th</sup> bay which we have just received tonight from Ken Howard with Bankson Engineers. Ken Howard stated that we opened public bids on November 20, 2018 for the Truck Garage Contract 18-1. Holbein Inc. was the low bidder. There were 2 options in this bid packet. Option one was to repair the existing garage and the second option lump sum bid number 2 was to tear down and build a brand-new structure. The low bid was for the lump sum bid number 2, the replacement of that garage in the amount of \$130,800.00. That project has not been awarded as of yet. You tabled that motion at the last meeting to take into consideration the addition of another or an expansion or modification of that building. So, what I have tonight is a letter from Holbein Inc. that defines the scope of additional work that the Supervisors discussed with Holbein Inc. for those additional items. The additional costs above and beyond the \$130,800.00 would be an additional \$63, 960.00. Depending on the Solicitors input. Atty. Lutz stated that we have

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reviewed it since last meeting and we're okay with it but, I think to protect all of you in circumstances where the amounts are as they are, you should have a formal opinion from the Solicitors office before acting and we can prepare that in advance of the next meeting. So, it would be prudent to table this as well. Matt stated it would give us time to digest this as well. Albert Roenigk asked Ken about the additional 4-foot depth. Ken Howard stated that everything in the letter from Holbein Inc. is what was discussed on December 15<sup>th</sup>.

On a motion of John Zurisko, seconded by Matt Sweeny to Table the Truck Garage Contract 18-1 until Atty. Lutz has a chance to review the Proposal for the 4<sup>th</sup> Bay. Motion Carried. Un. Approval.

### **NEW BUSINESS**

#### **THANK YOU TO DONNA DAVIS FOR HER 18 YEARS OF DEDICATION ON THE PLANNING COMMISSION BOARD**

Ron Zampogna stated that the Board would like to thank Donna Davis for her 18 years with the Planning Commission. Donna was up for reappointment this year as was Ray Smetana, but Ray decided to turn in his letter of resignation. At that point we made the decision to go from seven (7) Planning Commission Members to five (5) because it was an easy transition at that point. For the record one of the main reasons we decided to go that route was because throughout the entire year on multiple occasions different members had other obligations and couldn't make the meeting. There were always 5 members and you only need 3 members to hold a quorum to proceed and we don't believe that this will be an issue. Thank you again to Donna even though she is not here.

#### **THANK YOU TO THE SARVER VET'S FOR THEIR GENEROUS DONATION OF \$3,600.00 TO THE POLICE DEPARTMENT**

Ron Zampogna stated that every year the Sarver Vet's make a donation to the Police Department. Chief Derringer stated that they are very thankful for their generous donations. This year they will be purchasing a rifle with a scope so that each cruiser is equipped with one, having the new logo design put on the other cruisers and also purchasing a refrigerator to have in the Police Office.

#### **MOTION TO AWARD CLOSED BID FOR ANTI-SKID CONTRACT IN THE AMOUNT OF \$36,840.00 TO McCLYMONDS – APPROVED**

Albert Roenigk opened the bid from McClymonds Supply and Transit. He stated that the Bond is in it. Item 1, 2000 tons more or less as needed of type AS1 – Anti-Skid. The price is \$18.42 per ton, total price \$36,840.00 total more or less. Gary Risch asked what we paid last year? Janice replied we didn't have to purchase any last year because we had a lot left over from the previous year. Gary Risch asked what the Salt price is? The reason I am asking is should we load our bins up towards the end of the year or should we wait and see if it's cheaper next year. Ron stated we should possibly wait and see where we are financially. Bob Fletcher replied, it was around \$16.00 - \$17.00 last year. We received our order of salt last week for this year.

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On a motion of Albert Roenigk, seconded by John Zurisko to award the bid to McClymond's for the 2000 tons of Anti-Skid in the amount of \$36,800.00 to be ordered as needed. Motion Carried. Un. Approval.

**ANNOUNCEMENT: 2019 BUTLER COUNTY FARMLAND PRESERVATION PROGRAM APPLICATIONS BEING ACCEPTED**

**ANNOUNCEMENT: AUDUBON SOCIETY OF WESTERN PA IS SEEKING PUBLIC INPUT ON BUFFALO CREEK WATERSHED CONSERVATION PLAN UPDATE IN ARMSTRONG AND BUTLER COUNTIES**

Ron Zampogna stated that there are survey forms on the back table if anyone is interested in taking one and filling it out. You can drop it off at the Audubon Nature Store with Renee. Renee Alchier stated that it can be emailed or dropped off at the Beechwood office also. Any input is greatly appreciated.

**ANNOUNCEMENT: IRS HAS INCREASED MILEAGE RATE FROM .54.5¢ PER MILE TO .58¢ PER MILE**

**DISCUSSION/POSSIBLE MOTION TO APPROVE ORDINANCE #137 ESTABLISHING THE NUMBER OF PLANNING COMMISSION MEMBERS FROM SEVEN (7) TO FIVE (5) - ADOPTED**

On a motion of Albert Roenigk, seconded by Matt Sweeny, to approve Ordinance #137 establishing the number of Planning Commission Members from seven (7) to five (5). Motion Carried. Un. Approval.

**LETTER OF REQUEST FROM FREEPORT CROSS COUNTRY BOOSTERS TO HOLD THEIR 14<sup>TH</sup> ANNUAL FREEPORT FLASH 5K/10K RACE ON THE BUTLER-FREEPORT COMMUNITY TRAIL ON JUNE 1, 2019 – APPROVED**

On a motion of Matt Sweeny, seconded by Albert Roenigk, to approve Freeport Cross Country Boosters to hold their 14<sup>th</sup> Annual Freeport Flash 5K/10K. Motion Carried. Un. Approval.

**LETTER OF REQUEST FROM WILL KMETZ FOR THE SCOUTS CLEAN UP DAY ON THE TRAIL TENATIVE DATE & TIME APRIL 28<sup>TH</sup> FROM 1-3 PM – APPROVED**

On a motion of Matt Sweeny, seconded by Albert Roenigk, to approve the Scouts clean-up day on the trail between Monroe Road & Laneville in Freeport April 28<sup>th</sup> from 1-3 pm. Motion Carried. Un. Approval.

**MOTION TO SEND DELEGATE/DELEGATES TO STATE CONVENTION IN HERSHEY APRIL 14<sup>th</sup> – 17<sup>th</sup> – APPROVED**

On a motion of John Zurisko, seconded by Matt Sweeny to send Gary Risch to State Convention in Hershey April 14<sup>th</sup> - 17<sup>th</sup>. Motion Carried. Un. Approval.

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Gary Risch stated that he felt it would be a good idea to send one of the Road Department Employees as to get them into the 21<sup>st</sup> Century. He suggested sending Bob Fletcher because he is always attending the Supervisor Meetings.

On a motion of Gary Risch, seconded by Albert Roenigk to send Bob Fletcher to the State Convention in Hershey April 14<sup>th</sup> – 17<sup>th</sup>. Motion Carried. Un. Approval.

### **LAND DEVELOPMENT**

#### **CABLE/CLARK PLAN – SUBDIVISION/CONSOLIDATION – 255 & 249 EKASTOWN ROAD – LOT LINE REVISION**

James & Terry Clark of 249 Ekastown Road are proposing a lot line revision to convey Tract “A” to Richard & Lois Cable, .502 acres of parcel 15C & combine it with parcel 15B for a total of 1.041 acres in Lot 1, leaving Lot 2 with .577 acres.

The township office has received the Lot Line Fee, Application, Butler County Planning Commission Comments: BCPC did not have any comments on this plan. Seven (7) copies of the plan, Municipal Authority of Buffalo Township Comments: MABT does not have water service within the vicinity of this project. The Authority currently provides sewage service to both properties. Bankson Engineer Comments: Upon cursory review of the Cable/Clark Subdivision/Consolidation Plan it appears that the plan contains the necessary elements for a lot line revision. Tax parcel 040-1F79-15B was a non-conforming lot containing 0.539 acres with this lot line revision this Parcel will contain 1.041 acres but Tax Parcel 040-1F79-15C will become a non-conforming lot containing 0.577 acres served with public sewers and well water. Stan Graff in attendance regarding the Lot Line Revision. Ken Howard with Bankson Engineers stated that the comment letter submitted by the Municipal Authority of Buffalo Township stated that there was sewage service to both lots but not water service. We since found out from Stan Graff that water service is provided to this lot by Fawn/Frazier Joint Water Authority. So, the comments are now that the parcel does have city water and city sewer service, so it is not non-conforming it is a viable, buildable lot and meets all the zoning requirements. It is recommended to approve as presented.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve the Cable/Clark Plan Subdivision/Consolidation, 255 & 249 Ekastown Road Lot Line Revision as presented. Motion Carried. Un. Approval.

Chris Zeigler, President of the Butler-Freeport Trail Council gave an update on the Trail. We had a Last Day Hike on the Trail in the rain. We had 13 people and 4 dogs. We had a pretty good turnout and we had a good time. We are waiting for the ground to freeze to chip all the brush from all the trees that have been downed and I have a drag at work that I am going to borrow to take the grass off in some areas that it is closing in and we will do that when the ground freezes a little bit. We have a hillside slide issue in the Golf Course that is on the adjoining land owner’s property, so I will meet with them. They

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will need to take the trees off the top and then fold it back, so it doesn't fall on the trail. Late January or February, the building in Marwood is going to be torn down and we will have to close the trail in that area and detour down into Freehling Lumbers driveway and then back up onto the trail. There will be detour signs posted. That area will be then used as a parking lot for trail users. I would like to be able to work with Ken Howard on a CFA Grant for Stream Bank Remediation down here where we had so much trouble last year and this year. The max amount you can ask for is \$250,000.00, the match is 15%, so that would be \$40,000.00 as the match. It would be nice to get all of that done so we don't cringe every time it rains. So, I would like to do some preliminary work with Ken to come up with a budget and how much can we do and possibly file for that by the end of May. The Supervisors are okay with Chris working with Ken Howard of Bankson Engineers on this Grant. Atty. Lutz stated that a vote is not needed.

Renee Alchier with the Audubon Society of Western PA stated that they are working on the Buffalo Creek Water Shed Plan and we are waiting for things to get dried out so that we get some work underway. Matt Sweeny asked about what the latest update with our Park? Ken Howard answered that they hadn't heard anything. I believe that last word I had was that R.A. Smith was working on some plans for them. They contacted our office regarding questions that they had on the Floodplain Ordinance. We provided them the information they were asking for.

Gary Risch asked how many Grants did we get this year for the township? Ron Zampogna answered, I am not sure. Chris Zeigler said we got the County Parks & Recreation one. Gary said no, Grants for something other than the trail. Ron asked did we work on any or apply for any? Gary asked, is that anybody's job? Ron replied, I know in the past that Bankson has been involved and John Haven has a lot of involvement when he was here. Gary stated that we had a lot when John Haven was here. That is why I pushed to get a Township Manager because that is kind of what they do since nobody in the office is interested and none of the Supervisors don't go ahead and do it like John Haven did. Matt Sweeny stated that when anything comes up, Ken Howard alerts us to it as long as its applicable to us. Ken stated that our office has a Grants Administrator and if any thing that does come open, we bring that to you. They just announced today about the CFA Grant that Chris was talking about and the applications are due in April or May. There will be a DCNR Grant that opened today as well. Recreational type Grants. Last year there were CFA Grants for small water and sewer projects and the Municipal Authority applied for that. We did get the \$15,000.00 Grant from Butler County for the gates on the trail. Ron stated that I have seen several things in our mailboxes but when I read through them, we didn't qualify. Ken stated, that we keep our eyes open every day for them. Matt replied if anything comes up, just let us know.

Gary Risch stated that he had a question for Atty. Lutz. He asked if any Supervisor has more power than any other Supervisor? Atty. Lutz answered, it's on a majority vote of the Board. Gary replied so no one person has more authority than the other. Atty. Lutz stated that you had your appointments tonight and those are all administrative things. Gary stated, that is what I wanted to know.

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Bob Fletcher with the Road Department addressed the issue regarding Ralston Road. The Road Department has cut down the trees and brush that was blocking the line of sight and put up some reflectors on the guardrails. We were unable to do anything in the area where the telephone pole is. Matt Sweeny stated that it is much better than it was. Sue Gregory of Ralston Road agreed. Discussion was had by several regarding the speed limit in the area and who is responsible for putting up the speed limit signs and where they should be posted. Albert Roenigk stated that there should be a single center line at the entrance of Ralston Road so people will stay on their side of the road when pulling in and out. Discussion was had by several regarding the painting of a single line. Ron stated if you think it is needed, let us know. Albert stated that Penn DOT is going to put reflectors up. Discussion regarding painting double yellow lines was had by several.

**REMARKS FROM THE FLOOR**

Rebecca Reese of Monroe Road asked what the most important issue that is facing the board? Ron Zampogna stated there isn't just one. We raised taxes this year, that is always an issue. There was a snow squall that came through the township around 8:00 am which meant the Road Department had salt the roads and of course the safety of the public is always extremely important. Gary Risch stated that our Police Department is one of the best in the Valley. Matt asked if she is one of Mr. Wyatt's students and she replied yes.

Peggy Bonfilio of Julia Road asked about line painting on Bear Creek Road starting in the 185-address range to the township building for safety purposes. Matt Sweeny stated that we will take a look at that.

**ADJOURNMENT** was on motion of John Zurisko, seconded by Albert Roenigk, at 8:00 p.m. Motion Carried. Un. Approval.

**APPROVED:**

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**CHAIRMAN**

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**SECRETARY/TREASURER**