

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 14, 2021

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, June 14, 2021 and convened at 7:30 p.m. The Meeting was called to order by the Chairman, Ron Zampogna III. This 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
Michael Oehling	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) The Board of Supervisors met for an Executive Session at the Township Building with their Solicitor and Township Engineer to discuss personnel matters on Wednesday, July 14.

APPROVAL OF THE MINUTES of the June 9, 2021, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Gary Risch. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for June 1-30, 2021 inclusive for audit, was on motion of Michael Oehling, seconded by Albert Roenigk. Motion Carried. Un. Approval.

MONTHLY BILLS

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

REPORTS

(1) THE ELECTED TAX COLLECTOR’S REPORT (ROBYN FLEISHMAN):

- **JUNE 2021:** Twp. Real Estate Tax is \$12,798.76, Per Capita @ Discount is \$401.80, Per Capita @ Face \$1,449.40, Per Capita @ Penalty \$55.00

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

- **JUNE 2021:** Earned Income Tax is \$161,205.22, Local Services Tax is \$10,552.97

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

- **JUNE 2021:** Twp. share: \$102.50

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

- **JUNE 2021:** \$37,884.91

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

- **JUNE 2021**: 20 Permits Issued, 5 Single Family Residences, 1 Storage Bldg., 1 Res. Addition., 6 Pools, 1 Decks/Porches/Roof, 1 Demo, 5 Grading Permits, Building Permit Fee: \$4,618.65 Mileage: 125, Grading Permit Fee: \$500.00, Lot Development Fund: \$0.00

(6) THE DISTRICT JUSTICE'S REPORT:

- **JUNE 2021**: Ordinance & Statute Violations \$50.00, Code Violations \$478.98

(7) BUFFALO TWP. POLICE REPORT

- **JUNE 2021**: Total calls 193

OLD BUSINESS

NEW BUSINESS

LETTER OF RESIGNATION FROM LISA VANDEVORT-CRIST BUFFALO TOWNSHIPS REPRESENTATIVE AND MEMBER OF THE SOUTH BUTLER COMMUNITY LIBRARY BOARD OF TRUSTEES

Ron Zampogna thanked Lisa for her time and effort. Matt Sweeny asked if anyone was interested in filling the now open position. Ron stated that Janice will be taking names after the meeting if anyone is interested.

DANIELLE RIHEL BUFFALO CREEK WATERSHED COORDINATOR WITH THE AUDUBON SOCIETY OF WESTERN PENNSYLVANIA IN ATTENDANCE

Jim Bonner with the Audubon Society of Western PA was in attendance and gave an update regarding the Nature Center which opened on June 12, 2021. The Buffalo Creek Nature Park and the Babcock Nature Center. I wanted to thank everyone who came out that day. We are super excited with it and had about 350 people in attendance throughout the day and even had some bald eagles that showed up around 1:00 on that day. The reception has been tremendous by the community and everyone coming in. We are still getting a fill for the pace and everything. We are currently open Thursday through Monday from 9 am to 4 pm although we will adjust that as we get a fill for the traffic. It has been wonderful seeing all of the residents that have been stopping in the area as well as the people stopping by from all over the area who are utilizing the trail. Sunday mornings are fascinating. Yes, ice cream is our number 1 best seller right now. Emmerling Ice cream sandwiches out of Cheswick are being sold at the Nature Center and are a big hit. We are excited about doing all of the programs that are really what we are all about. We are excited about getting people engaged and getting them excited about being outdoors. Danielle Rihel is one of three new hires we have. She is our watershed coordinator and has recently joined us from the Butler County Conservation District. We are excited to have her and her expertise with us. I also want to point out two other people, one is Karen Stein. Karen is just relocating from Massachusetts and will be the center manager and will be a Township resident. She will be living at our home we have on Keppel Road. Jenna Gehenio who is already a Township resident has joined our staff as well. We are excited to be here and we are excited to be open.

Danielle Rihel stated that she had sent a packet to the township earlier on this week introducing herself. She shared about the position she will be taking on. The Watershed plan was just redone in 2019 and she was hired to implement that plan. If there are any projects that we can partner on, please feel free to reach out to her. Danielle stated that there are a couple going on right now with the signage, and she will be reaching out to do some liter clean ups and on the July 24th we are having a

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hazardous waste cleanup at the Freeport Area Middle School. It is \$20.00 for fifty pounds of stuff if you have it building up at your house. Please reach out and let me know if you would be interested in partnering up on anything. Matt Sweeny stated that the place looks fantastic and everyone has been talking highly of it, great job.

DISCUSSION REGARDING ADP PAYROLL SYSTEM – APPROVED

Ron Zampogna stated that the Township has been discussing for many years now about adopting the ADP Payroll System. Right now, we just have an old school system where you have to manually drop the card in. This system here will help with the work that needs done with the Payroll and will keep track of the employee hours so there are no questions and it will be a more efficient system for Janice and the Township. We feel that it is time to move forward with this type of technology for the Township. In regard to the cost, we believe it will be \$55.00 per pay period which is every two weeks and on the upwards of \$1500.00 per year for this service. With upfront costs of approximately \$1000.00 - \$1500.00 to pay for the clock/clocks. Gary stated that we will find that out when they come next week to go over everything. Ron stated that there are a few options that we can go with which would make it easier on Janice.

On a motion of Gary Risch, seconded by Matt Sweeny to approve hiring ADP to take control of the Township's Payroll System. Motion Carried. Un. Approval.

DISCUSSION/MOTION TO ADOPT RESOLUTION #2021-9 FOR THE HARVEY ROAD SLIDE REPAIR AND CULVERT REHABILITATION MULTIMODAL GRANT APPLICATION – ADOPTED

Ken Howard spoke regarding the adoption of Resolution #2021-9. The is a grant application to repair the Harvey Road Slide and Culvert Rehabilitation Project. It consists of the insertion of a 96-inch diameter HDPE pipe inside of a 10-foot wide by an 11-foot-high corrugated metal pipe that has corroded out. The bottom of the pipe has corroded and the water flowing from the stream has eroded this metal pipe and caused the rode to settle and slide and causing the concrete end wall to pull away from the corrugated metal pipe. So, we have developed a budget so that we could make a grant application to Commonwealth Financing Authority for a Multimodal Grant. Their applications are due on July 31st. Our budget for this project is a total of \$416,000.00 estimated total project cost. We have prepared tonight a Resolution that would have the township officially decide to make the Grant Application and we would be applying for \$386,000 in Grant monies and that we would be committing ourselves to a \$30,000.00 match. That is what we are presenting tonight before the Board that we can make the application to the Commonwealth Financing Authority to see if they will help you fix this problem.

Ron Zampogna stated that the Supervisors visited this site and it is in dire repair and it is a lot of money that the Township does not have so we are going to go after the grant for the bulk of it. Matt Sweeny stated that we need to get at it now before it gets worse and it costs the township more money.

Mr. Leonard Dombroski of Crescent Hill Drive stated that we were to get a culvert pipe replacement as well, what happened with that? Could we add that to this one also? Ken Howard spoke

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and stated that there is one pipe that is going to be replaced on Crescent Hill Drive with a different grant that is coming through the Butler County Conservation District. That grant is a Low Volume, Dirt and Gravel Road Project that the Conservation District indicated to the Township that there will be a replacement of that first pipe on Crescent Hill Drive. That pipe is slated to be replaced very soon. Gary Risch spoke and said that the Township received the pipe and they will be doing that this summer. Bob Fletcher, Township Road Master stated that this will be taken care of this summer. Evelyn Callender, 122 Crescent Hill Drive stated that there is another pipe that is causing problems along Crescent Hill Drive. Mr. Kish of 128 Crescent Hill Drive stated that his basement is always getting flooded because of this and it cost him \$20,000.00 to fix it. I did send letters to all of the Supervisors but there was no response. Ken Howard stated that is the next one on the list to consider and we did look at that and are working at getting funding to take care of that. Kristen McConville of 120 Crescent Hill Drive spoke to defend Mr. Kish. His property has flooded for years and Mr. Dombroski's property doesn't get affected, so the priority of these projects is a concern. Bob Fletcher, Road Master spoke regarding Kristen's comment. The first pipe we are replacing in Crescent Hill is a terracotta pipe which is demolished. Kristen McConville stated the property is being damaged at Mr. Kish's house. Bob replied that Mr. Kish's property is by a creek. Kristen McConville stated so that is his fault? Bob replied that we replaced that pipe at least 10 years ago and we thought we solved the problem. Kristen McConville stated probably more like 20 and Mr. Kish replied no, it was about 10 years ago. Kristen McConville asked Mr. Kish if that was true and he replied yes. The pipe in question was replaced and we thought we solved the issue but unfortunately we did not. Kristen McConville stated unfortunately for Mr. Kish, right. Bob replied, unfortunately but we did try to address the problem back then. The pipe coming onto Crescent Hill Drive is terracotta and it is destroyed. Kristen stated but that is not affecting land ownership and Bob replied, yes it is affecting land ownership. Albert Roenigk state if the road gets closed it is going to affect everyone living back there. Kristen stated that she has lived on that property for 46 years. Matt Sweeny spoke and asked if she has talked with the people that live on Kimberly Drive who have flooded basements. Kristen stated I am not talking about Kimberly Drive, I am talking about Crescent Hill and Matt replied, yes, I know but the issue is on Kimberly Drive and there was a lot of damage there as well. Kristen stated that there was significant amount of damage on Crescent Hill as well. Matt Sweeny replied he is aware of that as well. It is all a concern. Ken Howard stated that what we need to remember is that the Township and Bob have been working with the Butler County Conservation District. They are the ones that administer the Low Volume Dirt and Gravel Road Grant Project. Their recommendation and their action at the Butler Conservation District, working with the Township Road Department, they are saying we need to fix the clay pipe first and then we will be looking at the pipe by Mr. Kish's after that work is done. Kristen stated that it has been a significant amount of flooding for years. Ken Howard stated yes, and we are aware of that. We have had the Conservation District on that road and they have looked at both of these issues. We are taking it one step at a time and with the help of the Conservation District we received the funding to do the first project which will be replaced this summer. We are hoping in the next round of grants to get the other pipe fixed. We are not going to forget about it but we just need to work through the process with the Conservation District. Kristen asked Mr. Kish if that was a good answer for him? Mr. Kish replied, yes. Mr. Kish stated that he has lived there for 54 years. We have had this problem in the last 15 years and shared information

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regarding why he thinks some of this may be happening. He feels it is because of so much land development in the area above him. Mr. Kish feels that he would not be able to sell his house due to this issue. Ron asked Kristen if she had something more to say and Kristen stated that she would wait patiently. Barb Panza, 110 Kimberly stated that her neighbors are also getting flooded so it is not just one house getting flooded and we have lived there for 3 years. Matt Sweeny replied yes, we are quite aware of that.

On a motion of Albert Roenigk, seconded by Gary Risch to approve Resolution #2021-9 for the Harvey Road Slide Repair and Culvert Rehabilitation Multimodal Grant Application. Motion Carried. Un. Approval.

LAND DEVELOPMENT

ARBY’S RESTAURANT – 704 S. PIKE ROAD – SIGNAGE

G & G Lighting Maintenance is submitting a proposal for the Design Team Sign Company for property located at 704 S. Pike Road, Sarver, PA. The owner of the property is the Countrywide Petroleum Co. The Design Team is purposing signage for the Arby’s Restaurant that will be located at that site.

The township office is in receipt of the Sign application, pictures and detailed description of the sign, the location of the sign, Municipal Authority of Buffalo Township comments rec’d 6/28/21; All pole mounted signs or proposed sign requiring ground disturbance, must be at least 10 feet from the water main line that abuts the front of the property Public water and sewage are available to this site; Bankson Engineer comment letter received 6/30/21; ZONING: 410.: Each use may have a combination of freestanding, roof, or wall signs meeting the standards of the table (Reference Zoning Ordinance Sections 410.2). Please demonstrate on the site plan that the proposed pole sign complies with the right-of-way and property line setback requirements. GENERAL COMMENTS: 1. Please submit supporting structural information in the form of detail drawings, dimensions, calculations demonstrating that the proposed pole structure will be able to accommodate the proposed sign(s) and will not be a wind hazard or a threat to human life or property in any other way. We recommend that Approval of the subject Sign Application may be granted at this time, contingent upon satisfaction of all comments outlined above.

Ken Howard stated that we have received this submittal from the applicant and at last weeks Planning Commission Meeting this project was moved forward to the Board of Supervisors with 2 contingencies which have been provided to us so we feel they are adequate and meet the requirements of the Township Ordinances so we can recommend approval as presented.

On a motion of Michael Oehling, seconded by Matt Sweeny to approve the Arby’s Restaurant Signage proposal as presented. Motion Carried. Un. Approval.

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GASIENSKI PLAN – 123 GRIMM ROAD – SUBDIVISION

Graff Surveying LLC is submitting a proposal for property located at 123 Grimm Road for Lydia Gasienski. They are proposing to subdivide a 2.001-acre lot off an existing 49.354-acre parcel. The proposed Lot 1 has been tested for an on lot septic system for a single-family residential dwelling. The residual has an existing dwelling.

The township office is in receipt of the Subdivision application, the filing fee, copies of the plan, Butler County Planning Commission comment letter received 6/28/21; BCPC did not have any comments on this plan; Municipal Authority comment letter received 6/28/21; Public sewage is not available. Public water is available and abuts the front of both the properties; therefore, tapping into the water will be mandatory if the structure is built within 150 feet of the water man (Buffalo Township Ordinance #36). If this is the case, the applicant is encouraged to contact the Municipal Authority for further details; Bankson Engineers comment letter received 6/28/21; SUBDIVISION: 213.D: Public Sites and Open Spaces: We recommend that the Applicant provide the fee-in-lieu-of land dedication prior to Final Approval of the Subdivision Plan Application. 307: Water and Sewer: We recommend that the Applicant provide evidence of water and sewer system provisions that meet the Pennsylvania Department of Environmental Protection (PADEP) requirements. The Applicant shall provide evidence of the approved PADEP Sewage Facilities Planning Module. We recommend that Approval of the subject Subdivision Plan Application may be granted at this time, contingent upon satisfaction of all comments outlined above and the receipt of any/all applicable permits, Fee in Lieu of Received 7/8/21.

Ken Howard stated this is a single lot subdivision plan. At last week’s Planning Commission Meeting there were 2 outstanding contingencies. One was to pay the Fee in Lieu of which they have done and the other was to obtain their approval for their on-lot septic system that would come through DEP. The plan as submitted could be approved tonight with the contingency that they have a septic permit in hand prior to construction.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve the Gasienski Subdivision Plan contingent upon receiving the septic permit prior to construction. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR:

Chris Zeigler, President of the Trail Council was in attendance to give an update on the Butler-Freeport Community Trail. The trail is still as busy as ever and the trail goers are loving the ice cream sandwiches at the Nature Center. It makes me extremely happy that the trail is so busy on a Sunday morning. We have had several trees down due to the harsh storms and they have been cleaned up. We will be selling engraved recycled bricks from the Marwood Building that we tore down in May for \$25.00 each with up to 2 lines. These bricks will be repurposed as the floor in the new pavilion. These bricks are from 1896. Thank you to the Township Road Department for helping Holbein Inc. to put rip rap in some problem areas on the trail north of Bear Creek Road. It paid off because if it wasn’t done we may have lost the trail with the heavy storms we have been getting lately.

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REMARKS FROM THE FLOOR CONTINUED:

Grant McConnell stated that he has been working with Atty. Farrington and Ken Howard to get a consultant to work on the Comprehensive Plan. When we get some information, we will present it on to you.

Bob Fletcher, Road Master was in attendance to give an update regarding the Road Department. Thank you Chris, we helped out Holbein, Inc. on the trail and hope we did a good job. There are concerns dealing with the Cole Road paving project coming up. The road is going to be accessible. If I understand this right they are going down one lane and they put out notices and on Monday, July 19th, 2021 they are going to come out. They are going to knock on doors in the morning to make sure anyone that needs out gets out before the project starts. This is the first time that we have ever done micro paving and we really don't know what to expect. The residents will have access up one lane in either direction depending on what way they will be working. This process takes between 20 to 45 minutes to dry before it can be driven on. We are working on getting everything ready for tar and chipping and made some recommendations regarding Crescent Hill as was done on High Point.

Janice gave Ron a letter that she received on this date. The letter was regarding the speed limit and the passing zones that were studied along State Route 228, known as Ekastown Road. The letter was from Courtney E. Snyder, P.E. There was a traffic study done from the Round About in Clinton Township to Sarver Road to determine if the speed limit needed to be reduced and if the passing Zones needed to be removed. The result of the study indicated that the reduction in the speed limit for 45 mph to 40 mph was not justified. However, the department will adjust the speed limit signs to better inform the motorists of the existing 45 mph speed zone. They will also inform the State Police about the speeding on that road. The passing zone study indicated that modifying or removing the zones is justified and as part of the 2021-line painting program, they will remove all of the passing zones except the one that is near Armstrong Farms Landscape Supply Company. It will remain as is until it is modified with an upcoming construction project that will occur in 2023. If you have any questions, please contact the District Traffic Engineer David P. Tomaswick, P. E., at 724-357-2845.

Bob Fletcher, Road Master stated that he contacted PennDOT because people have been contacting him about painting lines on the township roads. Bob stated that he was told that this it is not permitted and painting one line in the center of a narrow road is not legal per PennDOT. Matt Sweeny stated that we will have Atty. Farrington look into it and take this into consideration. Atty. Farrington stated, it is his understanding that this is not something that can be enforced because this is not up to PennDOT's standards which means the double yellow lines. Matt Sweeny stated that there could be an issue if the road was too narrow in an area and could possibly cause a law suit if there would be an accident.

Evelyn Callender, 122 Crescent Hill Drive stated that they the residents of Crescent Hill Drive have questions with regards to the PennEnergy Well Pad Site at 765 Ekastown Road. She stated that there are clarity issues. Ms. Callender had a copy of the meeting minutes from the Planning Commission Meeting dated May 5, 2021 held via video conference. It says that section 307.6 in the zoning ordinance

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states that it permits oil and gas well drilling in the A-1 District as a Conditional Use subject to the conditions set forth in that section. The subject parcel also exists with the A-2 Access Management Overlay. So, what are these conditions that they are talking about in this? Ron Zampogna, Board of Supervisors Chairman handed this over to Ken Howard with Bankson Engineers, the Township Engineer for response. Ken stated that what this indicates is that Gas well drilling is permissible in those zoning districts provided they obtain a Conditional Use approval through the township which is a standard procedure. They have made the application, there were public notices presented and advertisement run, there was a Public Hearing held here at the township building on Wednesday, June 9, 2021. Atty. Farrington stated that this was advertised in the Butler Eagle May 24th and June 1st and was posted at the Township by the door. It was discussed at the May Supervisors meeting to set the date for June. Evelyn Callender stated that some of us do not get the Butler Eagle we get the Valley because we are closer to the Valley. So, we did not hear about the Hearing as well as what was going on. So is that the same kind of thing. Atty. Farrington answered yes, that is the advertisement that is run. With Conditional Use Hearings we have to provide the Public Notice that requires running notice of that Public Hearing twice in a newspaper of general circulation which we did run it twice in a newspaper of general circulation. Additionally, the township did a few things that went above and beyond some of the things that the law requires for Public Notice. Which were, letters sent to residents living within a 1000-feet of the site. It is my understanding that PennEnergy through Moody sent letters out to residents living within 2500-feet. That is not what the Township is required to do. The Township's requirement under public notice is the circulation in a newspaper of general circulation. Evelyn stated then that explains a lot of things as to why some of us did not know about the Hearing or what was going on. Evelyn asked if it cost money to put the advertisements in the paper and Atty. Farrington stated yes. Gary Risch stated that the people that are wanting to do these things have to pay for this. Evelyn stated that she read where there were comments from the Planning Commission that they heard from the Butler County Commissioners, the Municipal Authority of Buffalo Township, and the Township's Engineering Firm but was there feedback from the public, did anyone come to the Hearing? Ron replied no. Gary, Albert and Matt stated there were a few residents in attendance but very minimal. Evelyn replied that you would have had a lot more there had we known because we have a lot of questions now concerning this because we were not in attendance. It says in this document that there is going to be 6 or 7 wells drilled. Our letter stated that there is going to be one well drilled and is this going to be a vertical drilling or a horizontal drilling. Will there be 6 or 7 horizontals going off from it or is it going to be vertical drillings with 6 or 7 horizontal going off from it? Ken Howard, Township Engineer stated from our understanding there will be 7 wells on one pad and there will be 7 potential drillings on that one pad. It will be vertical and horizontal both from the drawings that were submitted to the township. It will go down vertical and then horizontal for so many feet. Evelyn asked so where will this Pad W76 Gas Well pipe line connect with this Pine Run Mid-Stream Low Pressure Gathering System. Ken Howard replied that they do not have a specific defined route at this time but they explained to us that they will have a gas pipeline running from their pad to that Pine Run Piping System. It is not that far from that pad and we do not know where the connection point is going to be but they are going to inform us. Matt Sweeny stated that they have to get permission from the Township before they can do any of that. Ken stated, yes. Evelyn stated that the Conditional Use Application proposes

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the construction and utilization of a Freshwater Well Development Impoundment on the subject parcel. Does this mean that they will be using water from our water table and will this lower our water table because they use a lot of water. Ken replied, that would be a good question for PennEnergy. Evelyn stated that she has questions for them as well. Matt stated that they have the water shipped in and they create an above ground piping system. I would say they would not be tapping into your water system. Gary Risch stated that 99% of the water is brought in by tankers. The fracking water is all taken out and taken to a disposal site. They will build a pond on site and line it with plastic and fill it with water to be used on site. Evelyn asked about the conflict between the Law firm of Lutz Pawk & Black and what their conflict was with this this specific item on the agenda and why did Atty. Phil Lope take over at the Planning Commission meeting. What was the item in conflict? Ron Zampogna stated that the Law Firm has or is representing the land owner so since Atty. Farrington is the Township Solicitor with the Lutz Pawk & Black Law Firm he cannot represent the Township and the land owner so he brought in Atty. Lope and he was on call for that part of the meeting and Atty. Farrington stepped aside. Atty. Farrington stated that to avoid any conflicts my firm took no part in the consideration and approval of the plan of that Conditional Use, Atty. Lope took care of all of that. Mr. Kish questioned about the advertising of the Public Hearing and why it was only put in the Butler Eagle and not the Valley. Mr. Kish feels that 50 percent of the Township gets the Valley and the other 50 percent get the Butler Eagle. None of us were aware of what was going on until we received this letter from Moody via registered mail. Ron Zampogna stated that again that the Township is required to advertise in a newspaper and it does not specify which newspaper. We just pick a newspaper. We choose a newspaper and they all have their specific fees. We try to pick the newspaper that we feel more people in our township view and that is why we chose the Butler Eagle and it was the most economical way to go because it is expensive to place the ad. Heather Collins, 118 Crescent Hill Drive and asked if it has to be posted twice then why couldn't it be posted in 2 different papers instead of just one? Atty. Farrington stated that it is run twice and it is run in the same paper two times. Heather Collins asked then why can't it be done in two different papers? Atty. Farrington stated that he understands the concern but again, we do not write the laws of what the Public Notice is. We are told by the State Legislature what the Law is for Public Notice and we follow that. We are to put it in a paper of general circulation. It means one paper, a paper of General Circulation. This is what Municipal Attorneys do, we advertise it in one paper. Heather stated so it is in a newspaper that none of us get and asked if there has been an analysis done as to what is the better paper of General Circulation. Atty. Farrington stated that he is not able to answer that question. Ron Zampogna stated that the Supervisors and the Clerical team have not done any type of analysis but again I feel we are doing the best we can to put it out there. We do not pick the Valley, Tribune Review or the Butler Eagle on a per case basis. I feel Janice can verify that we always use the Butler Eagle because it is more economically correct for us to use it because of the fees and substantially more to use the Tribune Review/Valley and that is why we choose the Butler Eagle. Not because we are trying to hide the situation. If that is what you think then with all due respect then maybe you should attend the meetings on the second Wednesday of the month and see what we are doing here. We are not trying to hide anything; we are as open as there is. It is posted on the Township building in the glass which we don't have to do and in the paper twice. There is a roomful of people that I find it really hard to believe that no one here gets the Butler Eagle and if that is the case then I stand corrected. Matt Sweeny stated that it is posted and is also on the website. Kristen McConville asked if

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she could ask a question but Ron Zampogna stated that if Miss Evelyn is done then you can have the floor next. Evelyn asked if we know when will the preparations start for this project? Ken Howard stated that would be a question for PennEnergy. Evelyn asked when will the drilling start? Matt stated no. Evelyn asked about the water and possible contamination of their water. Matt stated that I have never seen any statistics showing that they can link fracking or drilling to any of this. They have stringent laws that they have to follow. We have 4 or 5 in the Township right now and we have never heard of any issues or a problem. Gary Risch stated that he has been to many well sites and stated that the site are all very well contained. They do not have any pieces of equipment that sit on the ground, they have to have rubber under them all. There a silt socks around them and everything is contained in that area. He stated that they have more of a chance of getting pollution in at Walmart than you would from there. I have been on these sites and it is unbelievable what all they have to do to pass standards from the government. Matt stated that they have to double sleeve the well head and the vertical drilling they double sleeve as well as double concrete it way below the water table line of what would be a concern. Evelyn asked is it correct after Moody and Associates determine the predrilling baseline qualities from our wells, it is up to us to use our sights, smells and taste to detect any sign of contamination or will Moody monitor with technical equipment what is going on in the well site. Ron Zampogna stated, it is unfortunate and I do not want to discount your questions by any means, but number one I don't speak for myself but we are not here to defend PennEnergy. We are here to try to do what is best for the township. Those are great questions for PennEnergy and that is what's tuff. None of us are experts on drilling, we will try to answer your questions the best we can but those questions should go to PennEnergy and should have been asked at the Public Hearing. Evelyn stated that she was here hoping that the Supervisors could possibly answer some of these questions. What are the possible emergencies that our Firefighters and First Responders need training for? Gary and Matt both stated that they already have been trained for this years ago. Evelyn asked what have they been trained on? Gary Risch stated that they were trained up at Butler County Community College on fighting well fires. They are very well trained, not only ours but Saxonburg as well. They are trained on everything dealing with well safety. Matt stated that there is a protocol and a plan in place if anything were to happen. Evelyn asked if there would be anyway that they could find out from the fire companies what that plan might be. Gary suggested she contact the Fire Departments. Evelyn asked where will the fracking waters be stored? Gary stated that they are pumped into trucks and taken to a storage facility. They are not stored on site but specifically that would be a question for PennEnergy. Evelyn asked if there is a profit sharing under consideration to compensate for the lowered property values in the vicinity of the fracking areas? Ron asked profit sharing with regards to PennEnergy sharing profits with the constituents? Evelyn asked if this has been discussed with all of you guys and PennEnergy at all. Matt Sweeny stated that has nothing to do with us. Gary stated that would be between the property owners and PennEnergy that has nothing to do with us. Evelyn asked so when this comes about, what are you looking at then? Are you just making sure they are following all the rules, Federal, State and Local? Do you have the citizens wellbeing in mind when doing this? Ron replied, we always think we have the citizens well being in mind when doing this or any decision. With regards to the permissions given to them, if they are following all of the protocol that they need to follow and Mr. Howard's Firm addresses all of those items and they fall into the category as well as Atty. Farrington reviews it then we believe they would gain permission. Evelyn asked if they will be putting

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up sound barriers? Ken stated that you should speak to PennEnergy. Gary stated that what we did was make sure that what they were doing on that property followed all of the township ordinances and made sure that it was all legal. It is private property and we can't tell the owners that they can't do that if everything is following the Township Ordinances. Evelyn asked will you be monitoring for contamination of the streams within the affected area? If so, will the residents, whose properties contain the stream, be notified of the results and any changes from the base line? This is important because the neighborhood kids play in the stream, the animals drink from the stream and bathe in the stream. Gary answered that doesn't involve us at all that would be the County Conservation District and then if they feel need, they will contact the DEP. Kim Dombroski, 111 Crescent Hill Drive stated she has concerns because of her horse which is stabled at the Kelly farm and the creek flows into the Kelley Farm. Gary answered that if she has any concerns at all to contact the Conservation District and they will check out the situation. Evelyn asked about the testing area. She said that the PennEnergy website states that it monitors a 3000-foot radius from the well site but Moody's base line testing shows that they only go to a 2500-foot radius. Why is that? So, there are people in the 3000-foot circle that are not going to get tested because Moody is only testing at the 2500-foot radius. Ron Zampogna stated that a request to them may purpose that they check with more neighbors but I am only speculating. So, if they are only going to the 2500-foot radius that may be all the DEP expects. Matt suggested that she could ask them if they could go to the 3000 and see what happens. Evelyn asked if the Township has the authority or ability to put in requests to them before they get permission? Matt stated by the letter of the law and Atty. Farrington stated that only what our ordinance's will allow. We cannot go beyond the ordinances because that gets into legal issues as where we may impose one requirement on one person that isn't required consistent. And I will tell you to that Section 307.6 I am pretty sure that it is the longest ordinance on the books and everyone is bound to that ordinance. Evelyn asked about the widening of 228 by PennDot is that going to happen from 356 all the way to Route 8? Gary stated he hasn't heard anything about that. Ken Howard stated that he heard something about it being in the works but I am not sure of the specifics. Gary stated that the only thing he heard was they were going to pave it from Sarver Road to the Round About. Evelyn stated that they are going to take 10 feet from both sides of the road and least that is what it says in the peoples letters. Gary asked where did you get this information from and Evelyn stated from Bryan Lassinger. Bryan Lassinger stated it was a letter from PennDOT. The Board agreed that they have not heard anything regarding that. Bryan stated that it has been postponed until 2023 and there is a site that you can look it up on. Matt stated they know nothing about that. Gary stated that they were to work on 356 at one point and now they are working getting more money to take care of it. Evangeline Rose, 128 Crescent Hill Drive asked what is to stop you from going over to Giant Eagle and posting the meeting there? Ron stated that I do not think anything is stopping us from doing that except man or woman power but we believe the way we are getting the information out that someone with great concern would probably see it there. Mr. Kish, 128 Crescent Hill Drive stated that this newspaper thing is still bothering me. The Tribune Review had an article approved this with the exception on one supervisor and they did not name. Ron stated that what happened there is that a reporter from the Valley was here and the Tribune Review picked that up, same paper. So, that is how you saw it in the Tribune Review. I am not sure if anyone is here tonight representing the papers but that is how that was done. They aren't always here but that is how that happened at that meeting and I did speak with that reporter. Mr. Kish stated that he feels that the

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Board of Supervisors should have made a better effort to inform the public especially when 50 property owners were not informed. Who cares about what is happening here if I live in Butler. Ron replied that we will keep that into consideration the next time. Leonard Dombroski, Crescent Hill Drive stated that most of us are concerned about our water situation and the fracking. If there is any issues with this in regard to our properties and a way to mitigate this would be to bring public water up from Sunny View Drive to Crescent Hill Drive. Ron stated with all due respect the township has nothing to do with that. You would have to speak with the Municipal Authority of Buffalo Township. Albert Roenigk stated that when they were going to do this there was a letter sent to all the residents and most of them did not want it. It was well over 50 percent that were against it and that is why you did not get it. Several people spoke and stated they never received this letter. Kristen McConville stated that you a talking on their behalf. Ron replied, all I said was that we do not make that decision. We are telling you what they told us, that 50 percent of the residents did not want water there. Like I said, you need to go to their meeting and speak to Mr. Haven and their manager, Miss Donaldson. Ron stated that if I were you, I would want the city water as well, for a lot of reasons. Mr. Dombroski stated I would have like that as well. Several people were speaking at once. Matt Sweeny stated that if everyone was interested the Municipal Authority was looking into applying for Grants. Barb Panza 110 Kimberly Drive stated that we have been in the Township for 3 years and have contacted the Municipal Authority and were told that the survey went out but all of our neighbors said that they never received it. They knew nothing about it. The Municipal Authority stated that they applied for a Grant and said that the Grant was denied since there was little to no interested by the community. We requested that more information be gathered and someone come out and talk to us because that is what we would like. Matt stated again, that is nothing we can do about this but suggested that they all attend a Board meeting there which are the third Thursday of the month. Check their website for verification or call them. Gary stated tell them we sent you and Ron stated that is the building beside Sheetz. Kristen McConville 120 Crescent Hill Drive asked does the Zoning Commission report to you? Ron replied you mean the Planning Commission. Kristen asked so if there would be a Zoning Change it goes through them and then presented to you guys. The Board stated yes. What is the communication and timing requirements for an open public session for the Zoning Change? Atty. Farrington stated that the first has to be no more than 30 days and the second has to be no less than 7 days. So, in this circumstance it was advertised on May 24th in the Butler Eagle and the second was June 1st again in the Butler Eagle. Kristen McConville stated as per Heather's question, was there any deliberation on why this paper was chosen. Ron replied and Janice Zubrin being the head clerical of the Township makes the decision on where the adds are placed and 99 percent if not 100 percent of the time she chooses the Butler Eagle. Kristen asked for clarity on the costs of these? Ron asked Janice the cost? Someone on the Board stated to contact the Publication. Kristen stated that it is not in your Bill of Rights to disclose that as a right of transparency to us tax payers. Atty. Farrington stated, I do not understand the question. Kristen restated her question and said, if you are spending our tax money on advertisements to educate us as to what is available to our education on what is going on in the township don't we have the right of transparency from you all to understand how much it costs. Is that simple enough? Atty. Farrington, the Board and Janice all spoke and stated we don't have a problem with this and stated that we are doing what we are required to do.

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Kristen stated that this is the year 2021 and you all are talking about a paper. How many people get the paper delivered to their house and how many do not? Kristen stated about 50/50, huh. Gary replied, I quit getting...Kristen stated, hold on sir, I have the floor. Gary replied, okay I am sorry. You can point at me and I can point at you and I will have the floor. Respect. I am a tax payer, we elected you all and we are here to present our concerns. Gary stated that you had an attitude as soon as you walked in that door. Kristen replied, I don't give a shit about my attitude. Several people made comments. Kristen stated, you have never heard the word shit before in your life? Ron stated, listen, I have had this show put on before with all the swearing and everything like that. Kristen replied, I am not here to swear. I am here to understand, I am here for transparency. Ron replied, I understand that but I am not going to put up with the swearing. You have just sworn twice in the last 30 seconds. If you want to do it a third time then we will end this and he shared what happened in the past. We are not going to deal with this. We are not going to swear at you, so don't swear at us. Kristen stated understood and apologized. Okay, again just rewinding 50/50 on 2021. People don't get newspapers; we don't get full advertisements. When you search a website, it doesn't include advertisements. Donnie Martin Roenigk stated someone posted it on Facebook. Kristen stated she doesn't have access to Facebook and then asked where was it posted on Facebook? Donnie stated, if it was in the Valley then the people that get the Butler Eagle would be here complaining. Now you are interrupting me while I have the floor! Matt stated, let her have the floor. Atty. Farrington stated, ma'am, I know where your question is going. I know and trust me; Attorneys have discussed this. Advertisement through paper. We understand that it is missing some of the demographics. But that is the way the law is currently written. Kristen asked when is the last time the law was updated? Atty. Farrington stated you would have to contact your local legislature. Janice L. Zubrin, Township Secretary/Treasurer stated that we get an updated list every year of what is required from the...several people were speaking at the same time. Ron stated that I have sat here for approximately 10 years and I cannot remember...Kristen stated it is a question. Ron replied it's more of an insult than a question. You are insulting the way we do business and all we are doing is following the law. We are to put it in the paper. Matt stated we don't write the laws; we are following protocol. Kristen asked, who says and please educate me because I am just asking for transparency, so who says in 2021 that this does not make sense? Who? Matt replied the State Legislature. Ron asked who or what doesn't make sense? How we do this? Kristen answered how things make sense anymore. Like papers, publications...for instance I know that everyone is aware I posted on Facebook. I am not a stupid person. I know that you all have it. I can see some of you have posted there regularly in the past. My question is, today there was a posting about the paving situation going on and notes were placed on our mailboxes. That is much cheaper than advertising in the paper but there was some discretion there about putting something on a mailbox verses advertising, right? Matt stated that was not the Township, it was the firm doing the road resurfacing for the us. Ron replied, to your point we have to advertise for the hearing. Kristen stated okay then let's move past this. Several people spoke at the same time. Ron stated, if you are trying to catch us in something, we are only trying to follow the law. Kristen replied, I am only trying to understand. How did we miss this? Several people were speaking at the same time. Matt asked how did your neighbors know about this; they were even closer to the point and they were getting notifications, I am trying to understand? Several people were speaking at the same time. Kristen stated we are all in the same situation, Mr. Dombroski, Kim, Mrs. Callender, Mr. Kish. We were

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notified in late June, the last week of June and a week later we got a letter about testing. This happened to you all in May. It came to the Zoning Commission in May and came to you all in June. Kristen stated that this Public Forum wasn't effective to those to which it served. Matt stated that it was a couple of month's that PennEnergy was here. Chris Zeigler stated, you should come to the meetings every month. Matt Sweeny agreed, come to the meeting every month. Ron stated, let me ask you this, what do you suggest we do to satisfy your point? Kristen stated that it would have been my hopes that when this was presented to you that we have a safety concern in our constituency that the residents be notified that this is happening. Instead, what I am hearing 2 months afterward is too bad so sad. Ron replied, that is not that at all. Matt stated that we are looking out for your safety as well and that is why we are following the Ordinances and the Laws. I feel bad that you weren't informed. Kristen stated on your website you have noted poor us that we don't have the ability to update this, fall on my sword, but for us that are having health and safety concerns with our water being disturbed we are supposed to overlook that you don't have an IT person for the website. I had to search and have someone send me the minutes from the May Meeting and still do not have the minutes from June. So, again in transparency for those that you serve I am concerned. Atty. Farrington stated, just a point of clarification, that the minutes are always a month behind. If you can remember the June minutes were just approved at the beginning of this meeting and they will be posted on the website after tonight. Kristen stated, thank you for that clarity. Matt stated that some of this started when we were doing our monthly meetings online due to Covid. Anyone was able to get online and be apart of the meetings. Kristen stated that in May the Zoning Board approved a conditional recommendation for use in permitting and June the Township meeting was held and you actually took action to approve the recommendation. So, what are the next steps for safe guarding the community, what are you if anything are you doing to communicate with PennEnergy for the safety of all of us being affected? Matt Sweeny stated that is ongoing certainly. Atty. Farrington stated that one of the best ways to describe that and the reason it was taken out of the Townships hands are the state has far more resources than Township does to act as a watch dog for these well companies. So, the state has the Conservation District that is connected to this locally, the state has the DEP who has the testing and the tools and the personnel to ensure that PennEnergy follows through with what they said they are going to do and continue to operate a safe well. A lot of these questions and the questions before you at no fault of your own are better directed toward PennEnergy because they relate to how PennEnergy operates once they get approval and how PennEnergy ensures that they comply. Kristen stated that PennEnergy has a contract directly with the property owner and not the community. You all represent the community and are there to protect us. Am I misconstruing that? Kristen stated that the Atty. is having a hard time answering that. Ron stated no, I don't think you are misconstruing that. We are definitely here to protect you and again I hate to be repetitive but PennEnergy has gone through all the legal steps that they needed to and had to go through to get the permission. To Atty. Farrington's point, we by no way have the means to go up there and baby sit them. That is the DEP and Conservation District. We are working off of a 2.3-million-dollar budget. Matt stated that we have other wells in the township and there has never been an issue and with the way the safeguards are put in place and everything else. Kristen stated, the law of probability is something they have to assume and I am not trying to be a doomsayer but please understand that if they were drilling within 2000-feet of your house wouldn't you

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be concerned, Mr. Sweeny? Matt stated yes, I always have concerns and I am concerned with it going within 2000-feet of your house and that is why we are here. Kristen asked Matt if he knew she existed before she showed up here and he replied sure I did. Kristen replied, thank you and Matt replied you're welcome. Kristen asked what are our township Ordinances that stipulate and outline environmental impact and safety of the water and property value of those property and homes that are potentially impacted and how do I find them? Atty. Farrington replied so if what you are asking is what are the townships standards for approval then those are located in Section 307 of the Buffalo Township Zoning Ordinance, Oil and Gas Development and these standards here are in addition to what the DEP imposes. Kristen stated, DEP then us. Atty. Farrington replied, correct. An unknow Board member commented that we may even be lower and Kristen replied no, that would be the residents on Crescent Hill Drive and Kimberly Drive. Kristen stated now back to the question that Mrs. Callender asked. I don't understand in the approval process, you were not involved in any interactions with PennEnergy, it was all the Zoning Commission? Atty. Farrington stated that they came to several meetings prior to and they had sent a representative attending several Supervisors meetings before they even presented the plan. Matt stated they were attending meetings while we were still having online meetings. Kristen asked that there were no questions when it comes to again health and safety. There is a proposal of baseline testing. It doesn't seem like there is anything thereafter. It seems like that you are all aware that the township has yet to extend us the opportunity to connect to city water. So why wasn't it a conditional question to say to PennEnergy we have severe concerns or we have somewhat of a concern or a concern in the price of rice of our constituency that there may be potential water contamination? Matt Sweeny stated that goes without saying, they know those risks. We would request more frequent testing, ongoing baseline testing while drilling, while extracting and upon closure. Ron asked how do we know that this is not happening? Kristen stated proactive representation and transparency is what I am asking. Atty. Farrington jumped in to reiterate that the Township is limited to certain things that they can ask. They can ask for what is in the Conditional Use and keep in mind to that the state supersedes the Township on certain things. The state says that we have control of this and you are not going to control it because we are. Kristen replied so state verses township authority. Atty. Farrington replied, I wouldn't exactly say that but the state does take the ball in certain areas and the township is limited to what it says in Section 307. It is limited to what Mr. Howard and what myself are reviewing. They can't at the 11th hour purpose additional requirements on PennEnergy and say you have to do X, Y and Z or we're not going to grant you your Conditional Use. Kristen replied so you as a representative authority can't but we as citizens can is what you are saying? Atty. Farrington replied, are you referring to your private right to test your water? Kristen said I am saying if we push the issue and collectively question PennEnergy could we persuade them to extend rights to city water before the drilling occurs? Atty. Farrington replied that would be a question for PennEnergy the township can't answer that. Kristen asked do you have the expected build up process, like what is the timeline? Ron asked Ken if he knew and Ken said that would be a question for PennEnergy. Kristen stated so we approved something that we don't know the timeline of or the expectation or the potential damage and we are being told that our health and safety are at stake. Ron replied so all your points, but the permits do have an expiration date, is that correct Mr. Howard? Ken answered, I would think that they cannot do any of their drilling until they have all of the permits from DEP and the State and that is not something that this township

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has jurisdiction over. Now that they have received the Conditional Use approval by this Board they are dealing with the DEP and the State as well as PennDOT and other state agencies and that is out of our control. Kristen asked if anyone knows the timing of the survey that was referenced in the discussion tonight of when the survey was conducted regarding access to city water for Kimberly and Crescent Hill Drive? Matt stated that you would have to contact the Municipal Authority. Mike Panza stated that it was 2018 and I only know that because we were the last house built on Kimberly Drive and we asked about city water. Matt stated I know they tried to acquire a Grant. I think that 2019 was when the Grant was denied. Kristen asked what percentage of the township has city water? Matt replied good question. Kristen asked why was it not continued through the entire township? Ron replied expense I am sure. Gary replied it's probably the same reason they didn't put sewage in the entire township. Kristen said that she has sewage and once again I am trying to find get a better understanding. Someone replied but not all of us do. Gary replied that again that is not up to us. Matt Sweeny stated I live on Lyn Road and have water but no sewage. Kristen stated I am irritated because I just had to put money into a sewage blockage and I just feel there should be more transparency to those you serve. Matt stated we are not hiding anything and if I were in your shoes I would be asking the same questions as well. I think we have done a pretty good job at answering everything that we could. The monthly meetings are for everyone, you are welcome to attend, we do not turn anyone away. Kristen asked if they really want to see her again? Matt replied, come on in. Ron stated again, I want to ask you, what you would ask of us? Kristen replied, the paper doesn't work guys. It disappointing that it took 2 months after the fact to get a certified letter in the mail and never had heard a peep about what was going on prior. There are plenty of people here that have never been here. There is a lot of people that have been flabbergasted. This was a 24-hour effort when we found out that this meeting was tonight. If I had a week the parking lot and all of Bear Creek Road filled. Ron replied we would appreciate that. Kristen stated that I am just super upset that this is happening without prior notification. I get it this happens everywhere. Congratulations to those who are cashing in, I have no income interest in mineral rights. You are reducing my property income and I have to deal with potentially cleaning my house and getting it power washed. Matt stated that there is no proof of any of these concerns associated with fracking are just myths. If we thought that there were concerns in any of it or with this particular place over another we wouldn't have these well sites. Kristen stated you have shown that these questions have been asked and I will be going to the Zoning Commission meeting because you haven't seen or heard the last of me yet. I need to understand how progression happens throughout an approval process without direct notification to those it effects. If you all were living in the area that we are living and you blindly got a letter that said too bad so sad, too late. Two months ago, we had this approval, you would all be here with a bug in your butt too. I am disappointed, my neighbors disappointed. I am sorry to like communicate that, enormously frustrated. Ron answered, you don't have to apologize. I can tell you that I have sat here for 4 if not all 5 of the wells that have come through here and we have had the room packed and the Energy Company answered questions for longer than we have. Kristen said but a thousand feet of that is private property. Atty. Farrington stated that there were addresses on Crescent Hill Drive that were notified. 134 and 135 Crescent Hill Drive. They were notified by the township and they did not share that information with any of you? Ron asked if any of those residents were in attendance? Kristen asked Evelyn if she talked to them. 135 Crescent Hill Drive is the Gregos

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and 134 Crescent Hill Drive is the Fosters. Evelyn stated that one did and one did not and they are right in the midst of it so I think it was an oversight on Moody's part. Several Board members spoke at the same time. Gary stated we are talking about the letters that came from the Township. Kristen stated that they were notified because they lived within 1000-feet. Ron asked so these residents never shared with any of you that they received this letter? Evelyn stated not that I know of. Kristen stated again I get it legalities but it is unfortunate. Most of you will pass in 20 or 30 years and I will still be here and I don't want anything to happen to any of my neighbors and their families. Matt stated that you can get no guarantee on public water or even bottled water. Kristen stated we at least had a choice. Matt stated you did have a choice. Kristen answered and now we are stuck with paces of fracking and no city water to back us up. We are gonna get bottled water, we are gonna have to shower and do other things that effect our daily lives that still interact. Gary asked Kristen if her water is bad. She stated no. There could be a problem. Gary stated it could happen. You are assuming it is going to happen. Kristen replied there were no questions asked. Gary stated PennEnergy will have to do something because the state isn't going to do anything. Matt stated that the state will not leave you high and dry. Kristen stated that this is just an unfortunate situation. Maybe if PennEnergy coughs it up we can all have city water. Matt stated you will have to take that up with them. Kristen replied, I am speaking on behalf of myself and some other residents and it is so very unfortunate. Unnamed person stated in other words we can't do a dang thing about it. Kristen stated too bad, so sad. Matt stated you can't do anything about nothing happening or a possibility? There is always a possibility. Kristen stated either. Matt replied you can look at any possibility. Kristen replied blind or educated? Someone stated there could always be a possibility and Kristen replied I get that but I am going to have to educate myself further and make a decision. Several people were talking at the same time. Ron stated just one at a time please. Kristen replied well there have been people interrupting me, sir. Mike Panza stated I have been sitting here all night and the resounding thing I keep hearing is ask PennEnergy. There is a young lady here from PennEnergy and she has been taking down notes this whole time. Your company stands to make millions of dollars off of this perhaps in your notes could you see if you can take this information back to whoever you report to and ask that they contact the water authority and see about getting a Grant so that these people can get public water. I am hoping that she will take all of this information back to PennEnergy and get us some answers. Heather Collins asked if we had been participating in the previous meetings would that have changed the outcome or are you only looking at the zoning parts of this. As long as they checked all the boxes for zoning then they were going to get approval no matter what. Evelyn spoke and stated that is what they said. Heather stated that is what it sounds like so it didn't matter what we would have had to say about our houses. Atty. Farrington stated that if they met all of the requirements and received Engineering approval, if they received all of their DEP permits in line then the Conditional Use is merited. Matt stated or we are subject to a law suit but you could have been here to raise your concerns and ask PennEnergy questions. Frank Borelli, Sunny Lane stated that you said you had your meeting the second Wednesday in June. We all received these letters from Moody Engineering on the 24th that were certified. We all had to go to the post office and sign for them. I am assuming we all have the same mailperson. We did not get a second letter regarding about the water testing. That might just be the people within the 1000-feet. Several people stated 2500-feet. I just got enough education to be dangerous. Now the well pad location is it set in stone? If you can't

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answer this question then fine. Ken Howard answered that their design is showing it in the center of the land. Mr. Borelli replied if they move the pad up to the north between 500 to 800 feet it would wipe out a number of people worried about this circular distance and that is why I asked if this is set in stone. Ken replied that would be a question for PennEnergy and their plan is showing the pad in the center of the parcel. Mr. Borelli stated then they could move it then. Ken replied I cannot answer that question. I think for all the residents here that the Township should invite PennEnergy to meet with us and go over some of these issues. It would save you folks a lot of hassle. Ron replied, I think that is a fair request and I don't mean to sound repetitive but back to the hearing, the protocol was gone through to make the people aware. The people weren't made aware for whatever reason, you didn't see it in the paper and my point will be get in touch with PennEnergy and set up a meeting with them. It is a fair request. Mr. Borelli stated that he feels that the township should do that because we are here to complain to you and the Township should represent us to say Buffalo Township would like to request PennEnergy meet with the residents. Ron replied, I do not know if that is a request that PennEnergy would have to honor, maybe they would, based on the relationship between the current landowners and the Municipality. Mr. Borelli stated that if we could get this pad moved about 800-feet to the North it is still on the property line. It would wipe out everybody on Sarver Road and Sunny Lane but unfortunately Crescent Hill would still be in that radius. I just wanted to know if it was set in stone or not. Evelyn Callender asked Amanda the representative for PennEnergy if she could talk with her afterward. Amanda replied yes. Mr. Kish had a comment regarding the communication and how it could stand a lot of improvement to make the residents in the effected area aware. Maybe send high school kids out for \$15-\$20.00. So, in the future you may want to concentrate on the folks that are living near by depending on how ever many feet. If PennEnergy still met at the requirements of the Township but the residents did not approve would PennEnergy still get the approval. Ron replied, I know the answer quite well and the answer would probably be yes because if we would vote no in whatever tandem, 3-2, 4-1 what is going to happen is that their team of Attorneys will go to Butler County and explain to them that they have satisfied all of Buffalo Townships Ordinances, we will lose and we will lose a lot of money in the process. That is the answer. Kristen asked what if you just abstained because you did not have enough representation from the community? Ron replied, I think Atty. Farrington could answer that better but if we abstain, they will still win in the end. Atty. Farrington stated that no action or in action is basically the same as a no/denial a pocket veto and they would still win. When you asked why I hesitated, please know that this has been litigated at length as to whether someone has established all of the criteria in a Conditional Use, whether it must be approved and what considerations can you factor in. It is hard to say yes to that. If it meets all requirements state and locally it is approved. Ron stated that by recommendation and guidance from the Solicitor, Township Engineer, Planning Commission and Planning Commission Solicitor, Atty. Joe Charlton that we have a pretty strict Ordinance in regards to that. Maybe that is not what you want to hear but we are here to try and help and we are doing the best we can. Kristen stated I know and I understand that but I am asking and making people realize that maybe it has been some time but how long has it been since the Ordinances and communication expectations have been updated to be realistically delivered to those that it effects directly. That is the key point here that there was lack of communication. Two verses 150, just outside of 1000-feet. I played in Gregos yard for years and let me tell you that this just sucks! Ron replied I get where you are

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coming from, I am not making excuses and I have read hearing notes that 15 to 25 people notified and it just happens that 134 and 135 were notified and again we have been sitting here before and there have been 15-20 residents that attended the Public Hearing. Evelyn asked why did the Township just go 1000-feet when PennEnergy went 3000-feet? Atty. Farrington stated that remember that the township did that and all we are required to do is advertise in the newspaper but we chose to go the extra step. Several people are talking and it was difficult to hear. Evelyn asked so why did you only go to the 1000-feet when there were people that would be affected in 3000-feet? Atty. Farrington stated the township does not have the ability or resources to decide on the affected area. That is up to the DEP, PennEnergy and the people who have the scientists to calculate the affected area. Several people were talking at the same time. Kristen stated that I am hearing a variance in what you are saying and that it was discretionary on the township to send the letters to the persons within 1000-feet but you did not look at the total volume of those identified by PennEnergy so it circles back to the too bad, so sad. There was some discretion here and 2 people were notified and we are being told...Atty. Farrington stated that there were more than 2 people notified and Kristen said on my street. Kristen stated but again compared to what PennEnergy filed there was a concern for people at risk as Evelyn said 2500 to 3000-feet and we just didn't communicate, put it in the paper and said good luck. It is our interpretation of effort and transparency and that is why we showed up here today because we have a severe concern that we weren't appropriately represented. Period end or story. Does anyone that is affected dispute that? Gary stated, sorry you don't like the job we do but I feel we do a pretty good job. We spend a lot of hours here and do a lot of things. Maybe you should run for Supervisor and Kristen replied maybe I will. Ron stated that I think we answered your questions the best we can. The representative from PennEnergy is here this evening maybe you can set up something with them. Gary stated make sure you go to the Municipal Authority of Buffalo Township. Several people were speaking at once. Ron asked if there were any other questions.

ADJOURNMENT was on motion of Gary Risch, seconded by Matt Sweeny, at 9:35 p.m. Motion Carried.
Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY/TREASURER