

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – AUGUST 11, 2021

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, August 11, 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, August 11.

APPROVAL OF THE MINUTES of the July 14, 2021, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Michael Oehling. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for July 1-31, 2021 inclusive for audit, was on motion of Albert Roenigk, seconded by Matt Sweeny. Motion Carried. Un. Approval.

MONTHLY BILLS

After reviewing 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 (ROBYN FLEISHMAN):

- **JULY 2021:** Twp. Real Estate Tax is \$1,073.29, Per Capita @ Discount is \$0.00, Per Capita @ Face \$110.00, Per Capita @ Penalty \$121.00, Exonerations 197

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

- **JULY 2021:** Earned Income Tax is \$42,484.81, Local Services Tax is \$4,785.56

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

- **JULY 2021:** Twp. share: \$127.50

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

- **JULY 2021:** \$0.00

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

- **JULY 2021:** 39 Permits Issued, 15 Single Family Residences, 1 Storage Bldg., 1 Res. Addition., 3 Pools, 2 Decks/Porches/Roof, 0 Demo, 15 Grading Permits, Building Permit Fee: \$7,463.05
Mileage: 130, Grading Permit Fee: \$1,500.00, Lot Development Fund: \$0.00

(6) THE DISTRICT JUSTICE'S REPORT:

- **JULY 2021:** Ordinance & Statute Violations \$350.00, Code Violations \$88.70

(7) BUFFALO TWP. POLICE REPORT

- **JULY 2021:** Total calls 190

OLD BUSINESS

NEW BUSINESS

MOTION TO ADOPT RESOLUTION #2021-10 JK MILLER PLAN DEP COMPONENT 3 – ADOPTED

Ken Howard with Bankson Engineers stated that this is the DEP form that needs to be approved by your Municipality so that the JK Miller Plan can be approved by the DEP to allocate sewage service to the four lots that he designed and had approved by your commission. Ken stated that he would recommend you approve Resolution #2021-10 and then this motion would then give Rhonda the ability to send the Component 3 to the DEP for their final approval. Matt Sweeny asked where the plan was located so that all in attendance know. Ken stated it is along Shuster Drive in the area of Buffalo Trails housing plan. It is the frontage along the street in front of that plan. It is a vacant parcel along Shuster Drive.

On a motion of Michael Oehling, seconded by Albert Roenigk to adopt Resolution #2021-10 JK Miller Plan DEP Component 3 as presented. Motion Carried. Un. Approval.

MOTION TO APPROVE CONTRACT WITH GOVUNITY – APPROVED

Ron stated that Govunity is a company that would help us with our website. We have had issues in the past and are currently still having issues that need to be resolved. We did have a company that we were working with but their contract was up. He was ultimately helping Rhonda with the website. Govunity was highly recommended to us. They take care of Harrison Townships website. The basics of it are that they are going to help us get back on track to where the website needs to be. So, the constituents can access what they need to access in a timely manner. There would be training involved which Rhonda would be a part of. It is a \$300.00 onetime fee and the maintenance and support would be \$65.00 per hour as needed. We think those are pretty fair numbers and we need to get on board and get this done and posted. A representative from Govunity was in attendance. Sam Mastovich, owner of GovUnity stated that we work with several Municipalities in the area such as Harrison Township and Clinton Township. Rhonda will be able to update and maintain the site immediately. We will build a site from scratch that will be exactly what you want. During development we will provide a link and you will be able to watch us build it. We will have different design ideas. We will create those and it will be very user friendly and you will be able to use it on your phone. I think the big thing is with the new Sunshine

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Law requirements that it is really important that your staff be able to provide and get the information up easily. Ron asked so, your opinion is that we need a complete overhaul? Sam replied, yes. The structure is not mobile friendly and there are some ADA violations with the way the site is designed right now. There have been many Municipalities that have been sued, none in Pennsylvania but those are all things that we can take care of so that you would not have to worry about that. Ron asked, when you say mobile friendly, would there be an app? Sam replied no, it would not be an app it would be the same user experience as if you were on a desktop or laptop computer. Grant McConnell commented that he has worked with Govunity professionally in the past and they have always been very good sites.

On a motion of Matt Sweeny, seconded by Michael Oehling to approve the contract with Govunity. Motion Carried. Un. Approval.

MOTION TO APPROVE SELLING 2015 INTERNATIONAL – APPROVED

Ron Zampogna stated that the 2015 International was posted on the Municibid Website. Michael Oehling stated that the bidding closed yesterday at 5:01. Ron stated that the bidding started at \$16,000.00 and the bidding closed at \$37,300.00. We feel pretty fortunate and personally I think that was amazing. Matt stated supply and demand.

On a motion of Michael Oehling, seconded by Matt Sweeny to approve finalizing the sale of the 2015 International to the highest bidder at \$37,300.00. Motion Carried. Un. Approval.

MOTION TO APPROVE THE PURCHASE OF A NEW TRUCK – APPROVED

Ron stated so with every good thing comes a bad. Obviously we are selling the 2015 and we need to add another truck to the fleet. It is a 2021 Ford 650 and the details of it are \$61,660.00 for the chassis and \$43,949.00 for the bed, plow and fittings for everything we need to have it ready for winter. That puts us at a total of \$105,609.00. Matt replied with the offset by the sale of the International. Ron stated which brings the total to \$68,309.00 for the new truck with all the fixins. Matt stated that the International had some gremlins. It was a Monday or a Friday truck. It was a problem child. Michael Oehling stated that we were very lucky at getting the \$37,300 because they were only going to give us \$20,000.00 for a trade. Bob stated that he was contacted by the Ford dealer who are outfitting it. I am assuming it will be here before the tractor will. Janice asked if she is financing it or paying for it? Matt replied we will discuss that.

On a motion of Matt Sweeny, seconded by Michael Oehling to purchase a new truck. Motion Carried. Un. Approval.

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APPROVAL FOR PROFESSIONAL CONSULTING SERVICES FOR AMENDMENT OF COMPREHENSIVE PLAN, ZONING MAP AND IMPACT FEE ORDINANCE – APPROVED

Ron stated that it is time for the Comprehensive Plan along with some other items. Grant McConnell, Planning Commission Chairman is going to work with us and Chris Rearick. That is what we are doing with item 5, we are going to approve starting a conversation with Mr. Rearick. Atty. Farrington stated that as Solicitor, our office will finalize any agreements with Mr. Rearick as far as compensation for services and scope of those services as well.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve discussion with Mr. Chris Rearick regarding Professional Consulting Services for Amendment of Comprehensive Plan, Zoning Map and Impact Fee Ordinance. Motion Carried. Un. Approval.

LETTER OF REQUEST BY THE PARKS & RECREATION COMMITTEE TO SET THE DATE FOR THE TOUCH A TRUCK EVENT ON SUNDAY, AUGUST 29, 2021 FROM 11 AM TO 3 PM AT SOUTH PIKE SQUARE – APPROVED with contingencies

Ron Zampogna stated that this will be the second event for “Touch A Truck” sponsored by the Parks & Recreation Committee. We want to encourage community function but the Board does have concerns regarding Covid 19 and possibility of having to wear masks. John Haven, President of the Parks & Recreation Committee was present and stated that currently masks are optional. It is an outdoor event so mask are not mandated. He shared some information regarding the event. There will be a 20 x 40-foot tent with tables and chairs, several food trucks and there will be many businesses participating including Sarver True Value who will be brings equipment, Sarver VFC, Buffalo VFC and the Township Police for this event. He shared other’s that will be bringing equipment as well. Looking for a race car, possibly a Sprint car. It is an outdoor event and if the CDC Guidelines state that masks must be worn then we will abide by that and make sure that the people attending are following as well. Bob Fletcher spoke and said, how will you make people wear masks if they don’t want to even if it is mandated? John replied the police will be on site. This is free to the public and also stated that he will discuss with Janice about the Insurance and Michael Oehling will be present on site to have the Waivers signed by all that are participating. Gary Risch stated that he is against it and does not believe that the police should be there to make sure people are wearing masks. They have more important things to do.

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On a motion of Michael Oehling, seconded by Albert Roenigk to approve the request by the PRC to set the date for the Touch a Truck Event for Sunday, August 29, 2021 from 11 am to 3 pm at South Pike Square contingent upon the CDC and Department of Health’s Guidelines and the Solicitors recommendation. Motion Carried on a Roll Call Vote.

Roll Call Vote: Ron Zampogna – yes Matt Sweeny – yes Albert Roenigk – yes
 Gary Risch – no Michael Oehling – yes

Ron stated motion passes 4-1.

PARKS & RECREATION COMMITTEE HAS SUBMITTED A LETTER OF REQUEST FROM KAREN STEIN, MANAGER OF THE BUFFALO CREEK NATURE PARK TO BE A MEMBER OF THE PARKS & RECREATION BOARD – APPROVED

John Haven, Chairman of the Parks & Recreation Committee read Karen Steins bio which was on her application. Karen Stein was in attendance and stood while John read her bio. Matt Sweeny stated that it sounds like a good fit.

On a motion of Michael Oehling, seconded by Albert Roenigk to appoint Karen Stein to the Parks & Recreation Committee Board. Motion Carried. Un. Approval.

DISCUSSION/MOTION TO APPROVE PENNDOTS 2021 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM APPLICATION – APPROVED

Ron stated that this has to do with the PennDot Alternative Transportation Program regarding an application. It has to do with the bank stabilization down below Stephenson’s Auto. Ken Howard stated that we became aware of this application opening. It is a PennDot 2021 Transportation Alternatives Set-Aside Program where PennDot takes in applications and considers which applications to fund for work that has to do with transportation. Our Butler-Freeport Community Trail would be eligible to receive funding through this program because it is a bicycle pedestrian type transportation facility and the work we would be proposing would be work along the stream bank opposite of Stephenson’s Equipment site. The stream bank is being undercut and is eroding. We have worked there in the past to stabilize this area. This area is an eligible area for this program. It is our request of the Board if you would be willing to make a motion to submit an application for funding to take care of this area and shared some of the information regarding the budget. The pre-application is due in on electronically on Monday, August 16th, 2021 and our office will prepare the budget along with the documents and make that submittal. We worked in that area in the past and would like to keep in stable. Ron stated that we can apply for anywhere from \$50,000.00 up to \$1, 000.000. Ron stated that Ken’s gueestimate is around a \$500,000.00. He is going to try to apply for this amount for our benefit and there is no match on this. We would just be responsible for the Engineering, Permitting and Legal fees. Matt added that if we do

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not do anything that we could lose part of the trail in that area. Chris Zeigler stated that we had over \$80,000.00 in repairs between the Trail Council and the Township. Matt stated we might be able to piggy back that with the MS4 Requirements.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve Bankson Engineers to submit the PennDOT 2021 Transportation Alternatives Set-Aside Program Application by the deadline of August 16, 2021. Motion Carried. Un. Approval.

LAND DEVELOPMENT

No Land Development items.

REMARKS FROM THE FLOOR:

Chris Zeigler, President of the Trail Council shared an update regarding the Butler-Freeport Community Trail. We are developing two priority project lists so when these opportunities become available we are not scrambling. A lot of these grants will match each other, like a DCNR grant will match a Multimodal PennDOT grant. Multimodal is coming out soon and DCNR is in the Spring so if you have a list you can submit everything and have them match each other which really helps out. So, stream bank remediation, standing water issue in Laneville and cross pipes would be grant applications whereas dragging grass off the trail, knot weed irradiation and gates would not be. One list costs money and the other one doesn't. We can use the time as match for the money. We will be working on that over the next few months. We are printing new brochures which should be released by October 1st, 2021 and will be distributed. We as well are working on a website. If a Facebook page is updated then it will go directly to your website. We have had some really nice days; the trail has been busy and it is still in really good condition.

Bob Fletcher, Road Master shared an update regarding the Road Dept. Bob stated that they just started the Edgewood Project today. Cole Road was done with the micro surfacing and it looks good, got some complaints but I think it looks good. We had some complaints about it but you can't please everyone. We finished tarring and chipping the 6 roads and the guy was here sweeping up the loose stone. It is projected to Fog Seal these roads on Friday, weather permitting. Rhonda put on the website that there could be an inconvenience in some areas. Bob shared some information regarding how and where they will be Fog Sealing. We have been cutting limbs, trimming and mowing along the roads. There are some areas that we will need to get some paving done and discussed about a suggestion the Mark Balentine with Heilman made to help the township out but the township needs to commit on at least 300 ton. Albert asked Bob about how much they were able to get done today on Edgewood before the rain.

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Ken Howard brought up about the issue at Mr. Kish's house and the flooding. The Conservation District is recommending that Mr. Kish replace his bridge on his property because that is what is causing the water to back up. The Conservation District was going to pursue helping Mr. Kish with some funding to fix his bridge. They suggested not to touch the pipe on Crescent Hill Drive but to fix the issue on Mr. Kish's property. Bob shared some information regarding the bridge area on Mr. Kish's property. Bob asked Ryan Harr with the Conservation District if there was anyway to help Mr. Kish out and he said he would go back to his board and see what they say but his recommendation was to remove the bridge and use those big cement blocks and making piers with those would make it wide enough so that the water would flow better and then put the bridge across. I will wait to hear back from Ryan. We also got approval for the Crescent Hill Pipe that we are going to do and I ordered the head wall and end wall. We don't have the material to make the 30-foot pipe yet but I am hoping by September it will be all done and delivered and we can get that done. Unfortunately, it was tarred and chipped and we will have to redo that area once the project is done.

Barb Panza, 110 Kimberly Drive had a question about the Fog Seal being done Friday. She wanted to know if there was a way they could be notified what time this is going to happen so they are out of there homes before it begins. Bob stated that they will do Kimberly in 2 passes but thinks that they will be starting over at Doyle Road and Sterling first. Barb asked just for an estimated time. Ron stated Bob there is no need to go door to door, just contact Rhonda so she knows. Albert stated that those Roads weren't swept yet. Matt stated that he has to get the sweeping done before Friday and Fog Seal on Friday. Atty. Farrington asked Bob if the price regarding the 2 triaxles was going to cost more than \$11,000 or less. Bob stated that it is \$800.00 per day times 2 truck. Harvey Road would be 300 ton to get it done.

Evelyn Callander, 122 Crescent Hill Drive stated that the road is washing out from the front of her yard into the pond. Bob replied your neighbors has some heavy equipment in their yard and I noticed that it made a ditch. Evelyn stated that this has been going on for years and there was a gentleman named John that came out and said that they would fill that ditch in but it was never done. Bob stated that he will take a look at it and see what can be done. Bob made some suggestions and asked about the pipe going under her driveway which is metal and there are a lot of leaves in that area.

Grant McConnell stated that since there were no Land Development items and we got a break.

Evelyn Callander, 122 Crescent Hill Drive stated that she would like to request on behalf of the residents of Buffalo Township in the area of PennEnergy Well Pad 76 that the monies received by Buffalo Township from PennEnergy as a part of Act 13 Funding and also part of the monies received from the American Restoration Act be designated to the Water Authority to help provide city water and sewage to the residents living in the scope of the Well Pad 76. So, I don't know who that money is directed to but if you could consider using part of that to the Water Authority since they do not receive tax monies that would be a great help to us. We are going to try to get the water and sewage up through there. Ron stated we will take that into consideration and have you gotten in touch with the Water Authority? Evelyn stated yes and their meeting is on the 19th of this month and I will be there. Ron stated I don't want to speak for the Board but I think we will take that into consideration.

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John Haven stated that the estimate we did 3-years ago was \$398,000.00. We just reconfigured everything and now it is going to be \$662,000.00. Ron asked to get them water and sewage? John replied that they have sewage. Evelyn stated that she was talking about the people up above us, they do not have sewage. We have sewage but do not have water. The people above us along 228 have neither water nor sewage. John stated that it cuts through Bergbigler's farm. Ron asked Mr. Haven how many residents would that service and Mr. Haven replied, 90 some residents. The survey that was done 3-4 years ago was 3 votes shy of a tie. It was 46 to 49 against water service. The issue right now is cost and grant money is pretty slim to none because Buffalo Township is considered to be a wealthy Township. Matt stated that I know you were trying to secure grant funds a couple of years ago and they did not pull through. John stated that he has been talking to Joe Pittman's office. We can get the money but it would be a loan and we can only get possibly \$15,000.00 to \$20,000.00. We would have to add onto the water plant as well. Evelyn asked what the cost was again? John replied, around \$662,000.00. That would be for the water project. The longer we wait, the more the price will go up.

Barb Panza, 110 Kimberly Drive asked about the survey that was done 3 years ago. The people in my neighborhood did not know about it. How was that done? John stated that he believes it was door to door. An unnamed resident spoke and stated, nobody came to my house. Evelyn stated that no one came to our street either. Atty. Farrington spoke up and said these are questions for the Municipal Authority. John when is your next meeting? John replied, Thursday, August 19th at 7:00 pm. Mrs. Panza stated it is not going to be cancelled is it? Mrs. Panza stated that her and her husband moved in 3 years ago and since we have moved in, our neighborhood has certainly changed. We have lost a lot of the old-time residents. I would suspect that the survey would change. Ron replied that these are definitely valid points and questions that can be addressed at the Municipal Authorities meeting next Thursday. These questions can be answered better by their Solicitor and their Board Members. Evelyn asked if each Board has a different Solicitor and Ron answered, yes and explained.

Joe Pillitteri, 202 Bear Creek Road stated that has concerns regarding the traffic along Bear Creek Road. In the last 3-years I have had 3 cars in my yard and 2 hit my house. They have been coming from both directions. Last Thursday there was a head on crash in front of my house, someone crossed the center line. They tear up my yard going down into my creek. Is there anyway you could put speed bumps or signs up to slow people down? Matt Sweeny stated that we can't put speed bumps but we can look into possibly putting up some signs and take a look at somethings. Joe stated that he has been living there for 40 years and have had at least 15 cars go through our yard if not more.

Bob stated that we did the job on Cole Road where we did the basin and moved the Road over 2-feet, those guiderails that are leaning toward the pool. We can pull the posts out but we can't set them so I had Shamung come out and give us an estimate on putting in the guide rails in that area because they have to be moved out closer to the edge of the road and maybe something like that would work in the area of Mr. Pillitteri's house. The estimate for Cole Road is approximately \$65,00.00 for those guiderails, they are leaning and need replaced. Maybe we could look into having that done in both areas. Ron asked how much was the proposal and Bob replied, \$6500.00 just for Cole Road and

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shared some of the information. I could see if they could look at that area too. Matt asked Bob to check into that and let them know. Bob replied that he would take care of that.

Amanda Peterson with PennEnergy stated that they had their training at Sarver Firehall last Tuesday with both Sarver and Buffalo Township Volunteer Fire Departments. It went very well. We received our Highway Occupancy Permit and our first Well Permit. So, we will be starting to move equipment on to the site next week. We had our first preconstruction meeting today on site with Mr. Roenigk, DEP, some contracting companies and some PennEnergy folks. You will be seeing some movement there and if you have any questions, Rhonda has my contact information. Ken Howard, with Bankson Engineers asked if he could have a copy of the NPDES Permit from the DEP. He said they received the Grading Application but still are awaiting the NPDES Permit approval. If you can get us that then we can issue the Grading Permit. Amanda stated she would look into that.

ADJOURNMENT was on motion of Gary Risch, seconded by Matt Sweeny, at 8:35 p.m. Motion Carried.
Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY/TREASURER