

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – OCTOBER 25, 2017

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, October 25, 2017, in the Buffalo Township Municipal Building and convened at 7:30 p.m.

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

ROLL CALL

John K. Haven	Present
Ron Zampogna III	Present
Matthew J. Sweeny	Present
Albert T. Roenigk	Present
Gary L. Risch, Sr.	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 with their Solicitor this evening in the Township Municipal Bldg.
- (b) John Haven attended the Municipal Authority Meeting on October 19.
- (c) The Buffalo Township Supervisors met with Officials from the Butler County Chamber of Commerce at the Township Municipal Building on October 25.
- (d) John Haven attended the SPC/Butler County Survey Meeting at the Government Center on October 25.

APPROVAL OF THE MINUTES of the October 11, 2017, Regular Monthly of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Ron Zampogna. Motion Carried. Un. Approval.

OLD BUSINESS

APPROVAL TO PURCHASE SKID LOADER

Gary Risch stated we received two bids, one from Caterpillar and one from Bobcat. The Caterpillar is more money; it is \$45,000; the Bobcat is \$42,000. The Caterpillar has a backup camera, a standard warranty of 12 month unlimited hours, and a three year 1500 power train warranty that they just added. The warranty for the Bobcat is 12 months unlimited hours. I would like the guys from the

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Road Department to speak because they have run the machine. I haven't run it. Brendon Buchanan stated I think we should get the Caterpillar; you can see better and it has a backup camera. Chad Alchier stated it is easier to get in and out of. Bob Fletcher also said the Caterpillar was better. Gary Risch stated I like the Caterpillar better because the visibility is better, it has a better warranty, and a backup camera. I think the Caterpillar is the better deal. Ron Zampogna asked if we move forward with either of these when would we take ownership? Gary Risch answered they said it can be delivered right away. Ron Zampogna stated back to our discussions in prior meetings we were talking about trying to get rid of some of our prior debt. Gary Risch stated this would be monthly payments. For the Cat financing they have 4.2% for 84 months. If she takes that to the bank, they will beat it, right Janice? Janice Zubrin answered they normally do; but I haven't checked with them. Ron Zampogna stated my point is it is another payment until we clear up some of the debt. Janice Zubrin stated right now the money is low because I am waiting for the quarterly payments. Ron Zampogna stated do we need this in the next month or can we wait until after the new year? Bob Fletcher answered waiting until the new year is fine; it is definitely something that we should buy. We have been using Gary's the last couple of weeks. Ron Zampogna stated we use them every day; they are great. I am all for it; I don't want to have another payment. Albert Roenigk stated we have been doing a lot of projects just because you have a little bit of money you don't want to spend yourself poor. Ron Zampogna stated everything costs money. We are depleting the funds a little; that is my concern. I am in favor of getting it; I would like to wait. Gary Risch asked when do you want us to wait until? John Haven asked Janice Zubrin is the first of the year okay? Janice Zubrin answered yes. Matt Sweeny stated meanwhile you can check with the bank about the rate. Gary Risch commented on all of the work done on the buildings and dump truck.

On motion of Gary Risch, seconded by Ron Zampogna, to approve the purchase of a Caterpillar Skid Loader and to wait until the first of the year for delivery and to start paying for it. Motion Carried.
Un. Approval.

NEXT ORDINANCE WORKSHOP WILL BE HELD WEDNESDAY, NOVEMBER 1, AT 6:30 P.M. prior to the Planning Commission Meeting. The Supervisors will need to stay after the Planning Commission Meeting to discuss the Buffalo Township Comprehensive Plan with Rick Grossman. Gary Risch stated we have a vacancy on the Planning Commission. The Board asked Rhonda Swartz to set up interviews.

FRIENDS OF BUFFALO TOWNSHIP WOULD LIKE TO EXPRESS THEIR GRATITUDE TO THE BUFFALO TOWNSHIP SUPERVISORS for the forgiveness of the interest payment due for the Seed Loan

REMINDER: BUFFALO TOWNSHIP TRICK OR TREAT IS SCHEDULED FOR OCTOBER 31 FROM 6 – 8 P.M.

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NEW BUSINESS

ADVERTISING APPROVED FOR THE BOARD’S INTENT TO CONTRACT WITH A CPA FOR THE 2017 AUDIT

Janice Zubrin explained the past few years we have been using a CPA for the audit. It goes quicker and he knows exactly what he is looking for.

On motion of Gary Risch, seconded by Albert Roenigk, to approve advertising the Board’s intent to contract with a CPA for the 2017 Audit. Motion Carried. Un. Approval.

APPROVAL TO APPLY FOR A TAX ANTICIPATION LOAN FOR 2018

Janice Zubrin explained this is a way that I can start the year and have a little money. It helps get through the first of the year because the end of the year usually wipes us out.

On motion of Ron Zampogna, seconded by Matt Sweeny, to approve applying for a Tax Anticipation Loan for 2018. Motion Carried. Un. Approval. Gary Risch stated you are doing a great job Janice.

AUDUBON SOCIETY OF WESTERN PA IS HAVING A “CREATURES OF THE NIGHT” EVENT at the new Buffalo Township Audubon Nature Park on Monroe Road on Friday, October 27.

Renee Alchier stated this is our first “Creatures of the Night” Event. She explained that there are three sessions with dressed up animals. The children will learn about nocturnal animals, get snacks, and come back for a bonfire. There is a cost; we sent out coupons to the elementary school for 50 percent off for families in the Freeport School District. Anybody can wear costumes.

AUDUBON SOCIETY OF WESTERN PA IS LOOKING FOR VOLUNTEERS to help plant trees. Renee Alchier explained that this is for property that they own located on Howes Run Road. She explained what they are doing.

APPROVAL TO HIRE PART TIME POLICE OFFICER

Lt. Tim Derringer explained that one Officer didn’t work out; we have one that is still off and I have no idea when he is coming back. Another one is very limited. I did interview a candidate; his name is Bruce Wigton, Jr. from West Leechburg. He has really good availability; he has been on the job for several years. He does have experience. I would recommend to the Board that you hire him as a replacement part time to keep the department staffed.

On motion of Gary Risch, seconded by Matt Sweeny, to hire Bruce Wigton, Jr. from West Leechburg as a part time police officer. Motion Carried. Un. Approval.

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OTHER BUSINESS

Gary Risch stated we received a complaint about BJ about old cars and junk. All the junk cars are gone and the place is cleaned up. It is all do to Roger Kelly and Tim Derringer. Bob Fletcher did the mowing, etc. I have been around here for a long time; I think this is the best that BJ has looked since I have been around here.

Students from Mr. Wyant's class at Freeport High School attended the meeting and asked questions.

Ray Smetana, Planning Commission Chairman, stated some of the other townships are offering a tax incentive to volunteers for the Fire Departments. I think since we are redoing our Ordinances we should look at doing something like that. Albert Roenigk stated I think that is a good idea; it would have to be a resident.

Albert Roenigk commented about the Half Marathon. It worked like a well oiled machine. He thanked the Mayor of Freeport who directed traffic. I think they had over 900 runners.

REMARKS FROM THE FLOOR

Terry Tague stated there will be specific vendors for food and drinks at our 10K Race. One is a Brewery and I would like to know how the Board stands? He explained about an event at North Park. Is this something that you would approve of or not approve of? We need some guidance. I would rather not ask them to be there if they shouldn't be there. Gary Risch asked they won't be selling just tasting? Terry Tague answered I don't know; I think that they would like to try to sell and explained. I am looking for guidance. John Haven stated me personally I am against selling. I wouldn't want to set a precedent; I am just one person on the Board. Atty. Lutz stated I don't know if it is legal or not legal. Atty. Lutz was told to check into it. Lt. Tim Derringer stated my only concern would be that someone would sit there all day drinking and then get in a car and leave. Albert Roenigk asked Terry Tague if they would make anything off this? Terry Tague answered we could; it wouldn't be a lot. Albert Roenigk stated I don't even know if it is worth it. Gary Risch stated if they did do it; there should be some way to ration each person. Ron Zampogna stated I think that is a great idea; but I don't think it would work. Janice Zubrin stated they would find a way to get around it. Gary Risch stated I would like to see them somehow promote their business; they are a local business. We need more information.

A resident attended the meeting about the street light. We went in front of the Board; we weren't getting any light at all from the street light. We don't think anyone here would pay for something that they are not getting. They came out and took the light down; we thought we won the case. We didn't get any letter. Now we find out that there is a lien against the house. I don't think that is right. The amount is over \$700. We have pictures. Atty. Lutz gave background on the Sarver Light Tax. When Carla approached our office, we went through the process of getting liens placed on the

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houses of people who hadn't paid the taxes. That was after presumably she sent out letters to the people saying that they had to pay. So those liens do exist. This was brought to my attention because these folks are refinancing and that is a lien on their property. They contacted my office. Some of what they owe is interest. He explained the fees. The resident stated we will pay what we owe but I don't think that we should pay the interest. He stated we weren't notified. Atty. Lutz stated Carla sent notices out. For a lien to be entered you had to be notified in some way or another. All I can tell you is a lien can't get entered unless somebody has been notified. There is something at the courthouse that would indicate that you were notified. There are all kind of scenarios where people say they don't get notified but legally they were. Ron Zampogna asked what do you owe—tax versus interest? The resident answered we do not know. The interest is 9 cents a day. Atty. Lutz stated the legal rate of interest for any lien in the state of Pennsylvania is 6 percent per annum. The resident stated I don't think we should pay for something that we never got. Atty. Lutz and Albert Roenigk explained the Sarver Light District. The resident asked why didn't someone from the township come out and take a look at it? Albert Roenigk answered when that was going on I rode Bear Creek Road and explained the way it was set up. Bob Fletcher explains what he pays now. Atty. Lutz stated it was established by an Ordinance. Whether you got light or didn't get light is something that you should have complained about. That was over ten years ago. The resident stated I don't care if it was twenty years ago. Atty. Lutz stated it is late to be coming to the Board and saying I am not getting light and am not paying the tax. Discussion followed as to what was said when the resident called Atty. Lutz's office about the amount owed and who it needed to be paid to. Albert Roenigk stated the township pays a fire hydrant tax out of the General Fund. I don't have a fire hydrant within two miles from where I live. The resident stated people are getting charged for things they are not getting; that doesn't make sense. Matt Sweeny stated I get charged for things I don't get every day. John Haven asked what is his recourse? Atty. Lutz answered if he wants to refinance his property he has to pay off the lien. They can do that at the closing, you could write a check to Buffalo Township for the correct amount. There is an Ordinance that establishes what the tax rate and the interest rate is. The Board can do what they want; but they approved taking out a tax anticipation loan tonight because people don't pay their taxes on time and we have to borrow money. The resident stated we pay our bills. Atty. Lutz stated you didn't pay this one. The resident stated because we didn't get anything. John Haven stated I am sorry it is what it is. Atty. Lutz stated you are making comments under your breath about lawyers or something and you are concerned I am looking at you.

Roger Kelly, Zoning Officer, stated Christina Myers from Garden Way is here this evening to tell the Board information about her chickens. Christina Myers stated I intended to email a plan. I would like to ask if I can send an official plan by next Wednesday? We have plans for what we want to build on that back property. We have the property but we have to build a building to house them in. I put together a list of all of the items I will need. I was hoping that I can have everything to you by next week that can be approved or denied. We do have plans for a home equity line of credit. We have reduced our numbers by eight since the last time I was in here. John Haven asked do you have a contract to

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lease the property? Christina Myers answered yes. John Haven stated we would probably want to see that as well. Christina Myers asked can I send this to you by email? The Board answered yes. Matt Sweeny asked how many chickens do you have? Christina Myers answered we are down to 28 laying hens. Matt Sweeny asked when do you anticipate getting everything done? Christina Myers answered we are just now in the process of applying for a home equity line of credit. At that time we will have the money to be able to build the coop. I don't believe we can move the coop that we are using now. The thing has been sitting there for at least thirty years. If we start to move it, I believe it would be unsafe. We would like to build something new. The area has been cleared. Hopefully we can start to build when the funds become available. Gary Risch stated it sounds like you can't afford to have chickens; you really don't know what you are doing. My suggestion is you get out of the chicken business before you go broke. Mr. Myers stated it is a hobby. Gary Risch stated it sounds like you can't afford your hobby. The Ordinance was discussed. Atty. Lutz explained our Zoning Officer came to you and said we have an issue. You came here many, many months ago with a plan to satisfy the Board and this plan hasn't been followed. The Board can do what they like; but you need to give us a definite date of when your chickens are going to be off your property because it is a violation of the Ordinance. You better set the date right now and then the Board needs to enforce the Ordinance. Christina Myers stated I am requesting one week to get the plan to you. Atty. Lutz stated you better give us a date right now when you are going to be in compliance with the Ordinance. Typically when someone is in violation of an Ordinance we give them a letter and the letter says to be in compliance in thirty days. We tell them if you are not in compliance in thirty days we send somebody out to issue citations and you are way, way beyond the thirty days. John Haven stated we thought we gave you a break by giving you suggestions about how you could keep your chickens. We need a date when you will be finished with this project. Atty. Lutz stated you have thirty days and if you are not in compliance Roger is going to mark it on the calendar; we have no choice we have to issue citations. Thirty days to be in compliance with the Ordinance. Ron Zampogna stated I would suggest that you come back to our Nov. 8th Meeting so we could see where you are at and how you are making out.

Darwin Stivenson commented about a parking problem on Howes Run Road with the Audubon Property. People are parking on Howes Run Road and it is on top of a hill. Renee Alchier stated it was too wet to get up the drive. The cars were not parked there longer than fifteen minutes. It was 9:30 in the morning and not a busy time.

ADJOURNMENT was on motion of Gary Risch, seconded by Matt Sweeny, at 8:26 p.m. Motion Carried.
Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY