

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

AND

PRESENTATION OF THE 2018 BUFFALO TWP. BUDGET OF ALL FUNDS

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held on Wednesday, November 8, 2017, in the Buffalo Township Municipal Building and convened at 7:35 p.m.

The Meeting was called to order by the Chairman, John 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 Building.
- (b) John Haven attended the BCCD Board Meeting on October 26.
- (c) John Haven and Terry Tague worked with Mark Courtney to measure the Trail for the certified races on October 30.
- (d) John Haven, Matt Sweeny, Albert Roenigk, and Gary Risch attended the Ordinance Workshop and the Planning Commission Meeting on Nov. 1 in the Township Municipal Building.

APPROVAL OF THE MINUTES of the October 25, 2017, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Ron Zampogna, seconded by Matt Sweeny. Motion Carried. Un. Approval.

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ACCEPTANCE OF THE TREASURER’S REPORT

The Treasurer’s Report for October 2017 was read by John Haven. Acceptance of the Treasurer’s Report for October 1 – 31, 2017, inclusive for audit, was on motion of Matt Sweeny, seconded by Albert Roenigk. Motion Carried. Un. Approval.

MONTHLY BILLS

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

REPORTS

- (1) THE ELECTED TAX COLLECTOR’S REPORT** received from Carla Garia for October 2017 is for \$905.02 in Twp Real Estate Tax @ face; \$143.00 in Per Capita @ penalty; and \$240.00 in Exonerations
- (2) THE APPOINTED TAX COLLECTOR’S REPORT** received from Berkheimer Tax Administrator for October 2017 is \$32,800.41 in Earned Income Tax and \$12,692.38 in Local Services Tax
- (3) THE ZONING OFFICER’S REPORT** for October 2017 is for 26 total permits issued; 7 Single Family Residences, 1 Residential Addition, 1 Commercial Building/Addition, 2 Residential Storage, 2 Residential Garages, 3 Decks/Porches/Roofs, and 10 Grading Permits
Building Permit Fee: \$10,289.15 Mileage: 223 Miles
Grading Permit Fee: \$465.00 Lot Development Fund: \$1,032.13
- (4) THE DISTRICT JUSTICE’S REPORT** for September 2017 is for \$194.00 in Ordinance & Statute Violations and \$663.71 in Vehicle Code Violations

PROPOSED 2018 BUDGET OF ALL FUNDS

The proposed 2018 Buffalo Township Budget of All Funds has been prepared and will be posted tomorrow on the bulletin board of the Municipal Building Lobby and will remain posted for 20 days. Township residents are invited and encouraged to review the proposed budget and to submit written and/or oral questions and comments to the Supervisors, regarding the proposed 2018 line-item allocations. Budget Hearing/Adoption will be part of the December 13, 2017 Regular Monthly Meeting. A resident at the Meeting asked if the Budget will be posted on line? Rhonda Swartz answered I am waiting to hear back from Jason. Gary Risch asked won’t copies of the budget be available here? Janice Zubrin answered it will be posted. Various requests for 2018 Budget consideration were received.

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

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OLD BUSINESS

BUFFALO TOWNSHIP PARKS AND RECREATION AND FRIENDS OF BUFFALO TOWNSHIP WILL HOLD THE ANNUAL VETERANS DAY 10K/5K RACE AND 2K FUN RUN/WALK ON VETERANS DAY ON NOVEMBER 11

at the new Nature Parks. The Race starts at 9:00 a.m.

PLANS FOR NEW BUILDING AND OLD BUILDING – DISCUSSION

Gary Risch stated Ken got us information from a structural engineer of what has to be done to stabilize that building and strengthen it. I had Ed Smith and Holbein come and look at it; they are getting bids together for what it will take to fix it and the cost to cement the floor because the new beam has to be cemented in. For the new building I have Winkle Engineering who is going to put a drawing together for the new building so that we can send them out to get some bids on what it would cost to build it. The cost for this is \$2600. I asked Ken about that and he said that was a good price to get drawings done. I would like to make a motion that we get the drawings done by Winkle. That will be something to send out to get bids. Ron Zampogna asked that is not to exceed \$2600? Gary Risch answered yes. Albert Roenigk asked about the location of the new building? Ken Howard answered we prepared a drawing that shows it situated just off to the side of your current building. It will basically be on the steps on the 40 by 90 tab that we have shown on the drawing that you have here at the township building. He presented a drawing of the preliminary footprint of the building. I think you are talking about the same type of building that you put up in the back. Gary Risch stated cement walls up ten foot than a pole building on top of it. Ken Howard stated that is where Winkle comes into the picture; he works with Ed Smith on those types of buildings. Gary Risch stated we could probably bring it out about six more feet; that is less that we have to go into the bank. Albert Roenigk stated when you are doing that you are eliminating anything that you would have ever done along here. This building can go anywhere; but the township building is not big enough. Ken Howard commented on moving the gas pumps so that the township building can be expanded to the east. Another consideration is what happens to the water that comes off this part of the parking lot; we need to make sure that is handled properly. We have to make sure that the water is going away from your proposed building and how you want to grade that. This is a preliminary footprint only. We didn't work up a grading plan or anything like that. Gary Risch stated this building could be built onto in another way if you wanted to build onto the offices. Ken Howard stated there are many options if you went that way. These are all things to consider. Gary Risch stated we are looking at getting the equipment inside and a shop to work in. Janice Zubrin stated right now I was waiting to get replenished and when I did I just wrote all of these bills. I will need to replenish again; we are really low. Gary Risch stated we can wait on this until the first of the year. Albert Roenigk commented on building a pole building. Gary Risch stated a pole building on top. Albert Roenigk stated you should put that up in the field somewhere. Gary Risch asked why would you put it up in the field? There is no place to put it up there. Albert Roenigk stated if you

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

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want to do something here, you do a real building. Gary Risch stated if you want to make it all block, we can make it all block. We would be putting the cement up ten foot and putting a pole building on top of it. We could get a price and do it either way. Ron Zampogna stated it is going to be more expensive to do it; but I would agree with Ouch. Gary Risch stated it could be drawn up either way. John Haven asked would it be the same cost? Gary Risch answered I don't know; I would have to find out. John Haven stated we don't know which way we are going to go. Ron Zampogna stated I think we can look at it both ways. It is going to be more expensive for a split faced building. Ken Howard agreed. Gary Risch asked what do you suggest we do? Ron Zampogna answered I would suggest going back to Winkle and get a proposed budget number on the drawings. Gary Risch asked do you want it designed both ways? Ron Zampogna answered I think you have to look at it both ways. I think Ouch has a great point wanting it to look good. John Haven stated may I suggest since we are not sure doing this the first of the year. Ron Zampogna stated I think \$2600 is really fair. Gary Risch will get more information.

NEW BUSINESS

MUNICIPAL AUTHORITY REAPPOINTMENT

On motion of Ron Zampogna, seconded by Matt Sweeny, to reappoint John Haven to the Municipal Board of Buffalo Township. A Roll Call Vote was taken. Motion Carried on a Roll Call Vote.

Roll Call Vote

John Haven	Abstain	Ron Zampogna, III	Yes
Matt Sweeny	Yes	Albert Roenigk	Yes
Gary Risch, Sr.	No, We should have a Supervisor.		

SECOND BOND REDUCTION REQUEST FOR TWIN OAKS PRD – APPROVED

Ken Howard explained we received a request from John Allen for a bond reduction. This would be the second bond reduction for the construction activities associated with the Twin Oaks Plan of Lots. This bond reduction has been reviewed; we have inspected the site and we have invoicing in hand that we prepared from a letter recommending the bond reduction in the amount of \$184,144.40. He explained what that covers. We can recommend the approval of this bond reduction at this time.

On motion of Gary Risch, seconded by Albert Roenigk, to approve the Second Bond Reduction Request for the Twin Oaks PRD in the amount of \$184,144.40. Motion Carried. Un. Approval.

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

AND

PRESENTATION OF THE 2018 BUFFALO TWP. BUDGET OF ALL FUNDS

ANNOUNCEMENT: LOOKING FOR SOMEONE TO REPRESENT BUFFALO TOWNSHIP AT SAXONBURG LIBRARY

For information contact Kathy Allen at the Clinton Township Municipal Building. John Allen stated this is the Community Library for South Butler County. The Library Board is attempting to raise one million dollars for the Endowment Fund. They have no mortgage; it operates in the black all of the time.

BUFFALO TOWNSHIP PARKS AND RECREATION HAD THE RACE COURSE MEASURED AND CERTIFIED FOR THE 10K AND 5K RACES on October 30 by Runners High at a cost of \$500.00. It will remain certified. The Friends of Buffalo Township would like to contribute the \$300 received from the township refund for the interest payment.

REQUEST FROM CHRIS ZEIGLER, RACE DIRECTOR, FOR PERMISSION TO UTILIZE THE BUTLER-FREEPORT TRAIL TO HOLD THE 13TH ANNUAL BUFFALO CREEK HALF MARATHON ON SATURDAY, OCTOBER 20, 2018, AND TO UTILIZE THE TRAIL THE THIRD SATURDAY IN OCTOBER FOR THE NEXT FIVE YEARS – APPROVED

Chris Ziegler stated we have held this Race the third Saturday in October for probably nine years. It is easier for marketing.

On motion of Gary Risch, seconded by Albert Roenigk, to approve the request from Chris Ziegler, Race Director, for permission to utilize the Butler-Freeport Trail to hold the 13th annual Buffalo Creek Half Marathon on Saturday, October 20, 2018, and to utilize the Trail the third Saturday in October for the next five years. Motion Carried. Un. Approval.

APPROVAL TO HIRE FULL-TIME POLICE OFFICER

Lt. Tim Derringer, OIC stated I prepared a document for the Board. Part-time is not the answer. We hired one, spent a lot of money on training, and it didn't work out. The township is growing; I think that the Department needs to grow as well. If we are going to put money into somebody, it should be one of the Officers that are currently in our Department. The first year alone the savings is easily over \$30,000. It takes four years for an Officer to get to full-time status. I did speak with Janice. I think we have the funds to do it. I would make a recommendation to the Board to move forward. Matt Sweeny asked we are technically down an Officer after the retirement of Mr. Healey, correct? Lt. Derringer answered we are. We have been at five full-time Officers since 2002. The township has grown drastically. The calls have increased and are getting more violent. We have to protect ourselves. I believe that full-time is the way to go. Eventually I would like to have everybody full-time. We put thousands and thousands of dollars into these Officers to let them walk out the door doesn't make

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

AND

PRESENTATION OF THE 2018 BUFFALO TWP. BUDGET OF ALL FUNDS

sense to me. We train them, and then they take that somewhere else, why not keep them? Albert Roenigk stated that is the way it works. Lt. Derringer stated I agree; but there are a lot of lives that depend on us, too. If we have good Officers, why not keep them? It is better than relying on part-time where they come and go. We should just keep who we have. John Haven asked about the time line for the salary for a full-time Officer? Lt. Derringer answered 70 percent the first year, 80 percent the second year, 90 percent the third year, and full phase the fourth year. It is a lot easier scheduling full-time. We have a couple of guys that are very limited. It is not their fault; they have other jobs. Janice Zubrin asked can we hold off until the first of the year? Lt. Derringer answered that would be my recommendation; just to make it easier. I talked to the Sergeant; there is one Officer that I would recommend at this point that is Officer Jeff Sneddon. Gary Risch stated I think it is a good idea. Matt Sweeny stated I think it is a good idea. Ron Zampogna stated it makes financial sense for the township. Vicki Hoffman asked what is the process for promoting part-time Officers? Atty. Lutz answered we select the best person possible. Vicki Hoffman asked it is not done by seniority anymore? Atty. Lutz answered no. Lt. Derringer stated there are other factors involved—how the Officer works with other Officers, how they work with the public, and how they work with the Judge and Courts.

On motion of Matt Sweeny, seconded by Gary Risch to promote part-time Officer Jeff Sneddon, to full-time effective January 1, 2018. Motion Carried. Un. Approval.

IN THE WAKE OF THE RECENT TRAGEDIES IN VARIOUS COMMUNITIES THROUGHOUT THE UNITED STATES AND THE WORLD, JOHN HAVEN WOULD LIKE TO RECOMMEND THE TOWNSHIP BE UNDER LOCK DOWN

promptly at 7:30 p.m. for Supervisors and Planning Commission Meetings. This is not to alarm anyone but to be proactive in the face of these many horrific tragedies. Atty. Lutz stated we will take a look at this. It is a public meeting and we will have to have some type of procedure if they happen to come after 7:30. John Haven stated we would have a monitor. Atty. Lutz stated we can take a look at that and make sure.

LAND DEVELOPMENT

BURGER KING SIGN – SOUTH PIKE SQUARE – SOUTH PIKE ROAD

Custom Signs, Inc. is proposing to construct signs at 708 South Pike Road for PEC Management's Burger King Drive Thru & Restaurant. The high pole sign will be 10' x 10' x 25' high with a 4' x 10' message center. There will be five 36" x 12" x 30" high directional signs. A Pre-menu Board and a Menu Board, an Order Confirmation Unit (OCU), Clearance Bar, a 1'2" x 23' 9 3/4" Home of the Whopper (HOTW) channel letters and three 6' Logo Signs.

The township office has received a picture/description of signs, location of signs, Twp. Engineer comments (letter received via email 10/31/17), Municipal Authority comments (MABT advises that the

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

AND

PRESENTATION OF THE 2018 BUFFALO TWP. BUDGET OF ALL FUNDS

main water line along Route 356 is contiguous with this property and all signage must be at least 10 feet away from the water line), Twp. Planning Commission comments (favorable recommendation contingent on complying with Twp. Engineers comment letter received on 10/31/17).

Ken Howard stated they have been in contact with our office today; they couldn't make it to the meeting tonight. We received the additional information that we requested last week. They have satisfied all of our concerns but one. We need clarification on the pole sign. We recommend approval of the signs contingent on clarification of the pole sign.

On motion of Gary Risch, seconded by Ron Zampogna, to approve the Burger King Signs contingent on the clarification of the pole sign. Motion Carried. Un. Approval.

APPROVAL TO ADVERTISE AND SET THE DATE FOR PROPOSED AMENDMENT #6 TO BUFFALO TOWNSHIP ZONING ORDINANCE #129

Philip and Janice Richter and Amy Shick are proposing to rezone one acre located on North Pike Road from "R-1" to "R-2". The present use of the property is a retired Chiropractic Office/Rental; the proposed use will be a Child Daycare/Rental. At the November 1, 2017, Planning Commission Meeting a favorable recommendation was made for a hearing for the zoning change on a roll call vote.

Ken Howard stated the land owners took our recommendation at the Planning Commission Meeting. We recommended that they modify the zoning classification. This would match the zoning across the street. They will also need a Conditional Use. Both applications were reviewed at the Planning Commission Meeting. It would be our recommendation that you schedule the appropriate hearings for those two actions. Ray Smetana, Planning Commission Chairman, stated if you schedule both hearings on the same evening, the people that need to be here will be here. That is why we doubled them up. Atty. Lutz stated technically we have to have two separate hearings because one is a zoning change and one is a conditional use. You could make them ten minutes apart.

On motion of Matt Sweeny, seconded by Albert Roenigk, to approve advertising and setting a date for a Public Hearing for the rezoning of the Richter Property located on North Pike Road. The Public Hearing will be held on December 13, 2017, at 7:00 p.m. Motion Carried. Un. Approval.

APPROVAL TO ADVERTISE AND SET THE DATE FOR PUBLIC HEARING FOR PHILIP AND JANICE RICHTER AND AMY SHICK'S PETITION FOR CONDITIONAL USE

Philip and Janice Richter and Amy Shick are requesting a Conditional Use for property located at 209 North Pike Road for a daycare/rental. At the November 1, 2017, Planning Commission Meeting a favorable recommendation was made for a conditional use hearing on a roll call vote.

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

AND

PRESENTATION OF THE 2018 BUFFALO TWP. BUDGET OF ALL FUNDS

On motion of Matt Sweeny, seconded by Ron Zampogna, to approve advertising and setting a date for a Conditional Use Hearing for rezoning of the Richter Property located at 209 North Pike Road. The Public Hearing will be held on December 13, 2017, at 7:10 p.m. Motion Carried. Un. Approval.

OTHER BUSINESS

John Allen attended the meeting and stated I should have been more attentive in setting of the bond. Our Landscape Architect looked at the \$80,000 line item for landscaping and that is for street trees. Our attorney has been in contact with your attorney; I believe that Ken is going to have to look at this. We request a reduction from \$80,000 plus ten percent to \$25,000 plus ten percent. The reason is outlined in the letter. Ken Howard stated I have the letter and Larry has one as well. Atty. Lutz stated I did get a call from Don Graham, your attorney, and had discussions with him. I advised him to tell you to get something to Ken and explain to us why there was an error or mistake. Ken Howard stated we got this letter today. Upon review of the request of a bonded amount from \$88,000 for landscaping wasn't clarified. The request today is that they want to take out all of the trees along the street. His drawing shows that there will be trees on both sides of the streets and landscaping around the storm water pond and facilities. I believe you are requesting not bonding all of the street trees which is the bulk of your landscaping on the part of your plan where people will be building houses. After review of his request, we looked back at the drawings that were approved. The PRD was approved with landscaping around those storm water management facilities and approval included all of the street trees. That is why it is bonded for \$88,000 total for all of those trees. It is hard for me to conceive that we should reduce that bond when those trees are a requirement of the PRD. John Haven asked this is for PRD I? Ken Howard answered correct. The trees were on the plan and they are part of the approved plan. If you don't bond those trees and the trees don't get planted, you have no wherewithal for those trees to get planted. John Allen stated I will take responsibility for this. There was a whole page in the plan that Steven Victor came up with. Then we looked at your Ordinance. Your Ordinance requires trees abutting the properties around the stormwater which I intend to follow through with. Ken Howard stated I think the way the plan was approved street trees are required. I can't see where we have any latitude to say you don't have to put the trees in. John Allen asked can that be amended? Atty. Lutz answered you can amend your PRD but that is going to cost you more than the trees. Ray Smetana stated that was considered by the Planning Commission to recommend approval for your PRD. John Haven stated that is almost standard for PRD's.

SUPERVISOR RESIGNATION - APPROVED

John Haven read his letter of resignation effective November 8, 2017. On motion of Matt Sweeny, seconded by Albert Roenigk, to accept John Haven's letter of resignation with regret from the Board of Supervisors effective November 8, 2017. Motion Carried. Un. Approval.

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – NOV. 8, 2017

AND

PRESENTATION OF THE 2018 BUFFALO TWP. BUDGET OF ALL FUNDS

John Haven stated I have one request for the Supervisors to promote Janice Zubrin to Township Manager.

APPROVAL TO ADVERTISE AND SET DATE FOR SPECIAL MEETING

Atty. Lutz stated we have some business that we have to attend to as a Board. Gary is the Vice-Chairman so he will have to step in. The problem we have is your resignation has been accepted. The Board has to replace you within 30 days or it goes to the Vacancy Board. Our next scheduled meeting isn't until December 13 which is more than 30 days from now. It would be my recommendation that you advertise and hold a special meeting to appoint a replacement. This replacement will just be until the end of 2018. Whoever you appoint, that person could run in the primary and general elections for the unexpired term. I believe the unexpired term runs through 2021. I have been discussing with individual Board members about availability. The consensus seems to be November 29 at 7:00 p.m.

On motion of Gary Risch, seconded by Matt Sweeny, to advertise and hold a Special Meeting to appoint a replacement for John Haven. The Special Meeting will be held on November 29, 2017, at 7:00 p.m. at the Township Municipal Building. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

Chris Ziegler, President Butler-Freeport Community Trail, stated the Half Marathon was very successful. We had 885 registered. We did have a wheel chair roller this year. We hope to attract more next year.

ADJOURNMENT was on motion of Gary Risch, seconded by Matt Sweeny, at 8:20 p.m. Motion Carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY