

**BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – DEC. 13, 2017**

**AND**

**ADOPTION OF THE 2018 BUFFALO TWP. BUDGET OF ALL FUNDS**

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held on December 13, 2017, in the Buffalo Township Municipal Building and convened at 7:30 p.m.

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

**ROLL CALL**

John Zurisko	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 Acting Chairman declared the Meeting open for the transaction of business.

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

- (a) The Board of Supervisors met with their Solicitor this evening in the Township Municipal Building.
- (b) Gary Risch, Albert Roenigk, and Ron Zampogna attended the Workshop on Dec. 6.
- (c) Gary Risch and Albert Roenigk attended the Planning Commission Meeting on Dec. 6.

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**APPROVAL OF THE MINUTES** of the November 8, 2017, Regular Monthly Meeting and the November 29, 2017 Special Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Ron Zampogna, seconded by John Zurisko. Motion Carried. Un. Approval.

**ACCEPTANCE OF THE TREASURER’S REPORT**

Acceptance of the Treasurer’s Report for November 1 – 30, 2017, inclusive for audit, was on motion of Matt Sweeny, seconded by Ron Zampogna. Motion Carried. Un. Approval.

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**MONTHLY BILLS**

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

**REPORTS**

- (1) THE ELECTED TAX COLLECTOR'S REPORT** from Carla Garia for November 2017 is \$2,861.66 in Real Estate Tax @ face and \$374.00 in Per Capita @ penalty
- (2) THE APPOINTED TAX COLLECTOR'S REPORT** received from Berkheimer Tax Administrator for November 2017 is \$136,483.11 in Earned Income Tax and \$15,177.59 in Local Services Tax
- (3) THE APPOINTED TAX COLLECTOR'S REPORT** from Sharp Collections is \$596.78 for October 2017 and \$404.03 for November 2017
- (4) WEEKLY REALTY STAMP SALES** received from the County for October 2017 is \$15,445.36
- (5) THE ZONING OFFICERS REPORT** for November 2017 is for 13 total permits issued; 3 Single Family Residences, 2 Residential Garages, 1 Sign, 1 Pool, 2 Decks/Porches/Roof, and 4 Grading Permits  
Building Permit Fee: \$2,596.05                      Mileage: 170 Miles  
Grading Permit Fee: \$400.00                      Lot Development Fund: 1,232.13
- (6) DISTRICT JUSTICE'S REPORT** for October 2017 included \$610.39 in Ordinance & Statute Violations and \$837.92 in Vehicle Code Violations

**PROPOSED 2018 BUFFALO TOWNSHIP BUDGET OF ALL FUNDS**

Various requests for inclusion in the 2018 Budget were received. Acting Chairman Gary Risch asked for questions, comments, or suggestions from the residents present regarding the Supervisors' Line Item Allocations and/or the Total Township Budget. There were no questions, comments, or suggestions.

**RESOLUTION #2017-8, BUFFALO TOWNSHIP BUDGET OF ALL FUNDS – ADOPTED**

On motion of Matt Sweeny, seconded by Ron Zampogna, to adopt Resolution #2017-8, Buffalo Township Budget of All Funds. Motion Carried. Un. Approval.

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**RESOLUTION #2017 -9, ESTABLISH 2018 TAX RATE – ADOPTED**

On motion of John Zurisko, seconded by Matt Sweeny, to adopt Resolution #2017-9, which establishes the 2018 Tax Rate, as follows: ½% Earned Income Tax, ½% Real Estate Transfer Tax, \$47 Local Services Tax, \$10 Per Capita Tax (all persons 18 years of age and older, and Buffalo Twp. Real Estate Tax – 4.38 ML. Motion Carried. Un. Approval.

**OLD BUSINESS**

**REPRESENTATION ON SOUTH BUTLER COMMUNITY LIBRARY BOARD – DISCUSSION**

Michelle Lesniak, Library Director, and the President of the Board attended the meeting. Michelle Lesniak stated we want to invite you and give you more information about the Supervisors appointing a board member to the Library. We changed the composition of our Board. We have nine voting members, one from each municipality and three at large communities. This is your first opportunity to have an appointed voting member to our Board. A lot of people who use the library are from Buffalo Township. We would like you to be more involved. She explained what a Board Member would be doing and what they are looking for. The President of the Library Board explained the terms and duties of the Board Members. Gary Risch asked if she could put some kind of notice on their bulletin board? Michelle Lesniak stated we do have two people who are interested. Gary Risch asked we have to appoint the person? Michelle Lesniak answered yes. Gary Risch stated let us know who you want and we will appoint them. Michelle Lesniak stated our meeting is the second week in January. John Allen stated I am a resident of Clinton Township and commented on the good work they do. The library is totally debt free. Michelle Lesniak stated the library is currently doing an Endowment Campaign. We are building our Endowment Fund which currently has \$200,000; our goal is a million dollars. This will secure the future of the library. Some of our funding is governmental; this would help in the future. Membership was discussed.

**AMENDMENT #6 TO ZONING ORDINANCE #129 – ADOPTED**

On motion of Albert Roenigk, seconded by John Zurisko, to adopt Amendment #6 to Buffalo Township Zoning Ordinance #129. This changes the zoning on property owned by Philip and Janice Richter located at 209 North Pike Road from “R-1” to “R-2”. Motion Carried. Un. Approval.

**SHICK CONDITIONAL USE –APPROVED**

On motion of Ron Zampogna, seconded by Matt Sweeny, to approve Amy Shick’s Conditional Use Request to have a Daycare Center/Rental Property at 209 North Pike Road. Motion Carried. Un. Approval.

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**REMINDER: NEXT WORKSHOP WILL BE HELD ON WEDNESDAY, FEBRUARY 7, 2018, AT 6:30 P.M.**

**NEW BUSINESS**

**REGULAR MONTHLY MEETINGS SET**

On motion of Matt Sweeny, seconded by Albert Roenigk, to set the Regular Monthly Meetings at 7:30 p.m. the second and fourth Wednesday of the month. The months of June, July, August, November, and December will be the second Wednesday only. The Reorganization Meeting will be January 2, 2018, at 7:00 p.m. with the Regular Monthly Meeting to immediately follow. Motion Carried. Un. Approval.

**TAMMIE KELLEY/CUL DE SAC/DISCUSSION**

Tammie Kelley stated I would like to build a house at the end of Sunny Lane. Years ago there was discussion about a cul de sac back there. This is the time for discussion even if there isn't presently any money in the budget for it. She presented drawings. I would like to have a ½ acre lot. Gary Risch asked would you have public water and sewage? Tammie Kelley answered yes and explained. Albert Roenigk asked Mike Kelley if he would be donating the property if the township does the cul de sac? Mike Kelley answered yes. Albert Roenigk stated we have looked at it a couple of different times. It has needed a cul de sac for years. Tammie Kelley stated I would like to discuss the best way you would like to proceed. Ken Howard stated we need the land to build the cul de sac. It is something to consider. Albert Roenigk stated drainage is a little bit of a problem there. Mike Kelley stated I put a drain in last year. Albert Roenigk this is something that we definitely need to look at. Gary Risch stated we need Ken Howard to give us a price of what this would cost. Albert Roenigk asked would you put your house right off the cul de sac? Tammie Kelley answered yes. Ken Howard stated what they could do is dedicate the land for the cul de sac and have the appropriate setbacks from the cul de sac for the parcel for your home and make that part of the subdivision. Tammie Kelley commented about the maintenance of the property. Atty. Lutz explained if you want this to happen you should finish that in conjunction with building your house. I don't think we want a situation where something is being privately maintained but has our name. Albert Roenigk stated you would have to build your driveway across. Atty. Lutz stated you want to do it when you are building. You are going to have to do a subdivision to get your parcel separated from the rest. You are going to have to come in with a Subdivision Plan. Before you prepare that whoever you hire to do that or present it, they should sit down and have a discussion. Gary Risch asked the cul de sac would be in the subdivision and dedicated to us? Atty. Lutz answered correct. Ken Howard stated have your surveyor contact us so we can work with them. Mike Kelley asked can I subdivide other lots from the cul de sac in the future? Albert Roenigk answered once the cul

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de sac is built, lots can be subdivided. I don't know how many lots. This does not all have to be done at one time.

**APPOINTMENT TO PARKS AND RECREATION COMMITTEE**

On motion of Matt Sweeny, seconded by Albert Roenigk, to appoint John Haven to the Parks and Recreation Committee. Motion Carried. Un. Approval. Gary Risch stated there are still two vacancies on the Parks and Recreation Committee.

**BOND REDUCTION REQUEST FROM THE JOHN ALLEN FAMILY FOR TWIN OAKS PRD – APPROVED**

Ken Howard stated we received a request from John Allen for Bond Reduction #3 for construction activities that have been performed on the Twin Oaks Development. He explained what was requested. The total bond reduction requested tonight is \$219,513.65. We reviewed the invoices that have been submitted. We can recommend approval of this as presented.

On motion of Ron Zampogna, seconded by Matt Sweeny, to approve the Bond Reduction Request from the John Allen Family for the Twin Oaks PRD in the amount of \$219,513.65. Motion Carried. Un. Approval.

**RESOLUTION #2017-10 – ADOPTED**

Atty. Lutz stated Janice Zubrin brought this to my attention. We received some correspondence. They advised us that under the new Act of the General Assembly allows the placement of Category 4 Casinos, ten of them, and explained. We were provided with a proposed sample Resolution. The law gives municipalities an opportunity during a short window of time, which expires at the end of this year, to opt out or prevent Casinos from entering your particular municipality. It is the Board's decision to adopt the Resolution that would prohibit Casinos from coming in here from a satellite of the Pittsburgh Casino. If you don't take that action proactively, you will be at their mercy if they decide to come in. If the Board wants to do this, you will have to do it tonight.

On motion of Albert Roenigk, seconded by Matt Sweeny, to adopt Resolution #2017-10, prohibiting a Category 4 License Facility in Buffalo Township. Motion Carried. Un. Approval.

**PLANNING COMMISSION APPOINTMENTS**

On motion of Ron Zampogna, seconded by Matt Sweeny, to appoint Tim Gottus to the Buffalo Township Planning Commission. Motion Carried. Un. Approval.

On motion of Ron Zampogna, seconded by Albert Roenigk, to appoint Sue Gregory to the Buffalo Township Planning Commission. Motion Carried. Un. Approval.

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**LAND DEVELOPMENT**

**LERNERVILLE SPEEDWAY – SIGN – NORTH PIKE ROAD - APPROVED**

Signstat is proposing to replace the Lernerville Speedway lighted sign. They will be using the same structure, only removing the Budweiser portion of the sign and the Electronic Message Center and replacing them both with a new Electronic Message Center. Lernerville will be reducing the size of that portion of their sign from 7' x 19' to 6'5" x 12'3".

The township office has received picture/description of the sign, location of the sign, Municipal Authority comments (The Municipal Authority of Buffalo Township does not anticipate any issues with the proposed Lernerville Speedway sign. Our water main is about 175 feet south and our sewer main is 500 feet south of the proposed project), Twp. Engineer's comments (see letter dated 12/6/17), and Township Planning Commission comments (favorable recommendation contingent on complying with Township Engineer's letter dated 12/6/17 as per 12/6/17 meeting minutes).

Ken Howard stated we reviewed the application and prepared a letter dated 12/6/17. I am going to review our comments. Your Ordinance has some specific requirements. The proposed sign would have an approximate area of 202 sq. ft. The subject property for the proposed sign is located in the "B-2" Central Business District; therefore, Conditional Use approval shall be required. The subject property for the proposed sign is located in the "B-2" Central Business District. The "B-2" setback requirements for signs are 15 feet from R-O-W, 20 feet from property lines. Compliance with the required setbacks could not be determined from the drawings submitted; however, the applicant states that the proposed sign would have a setback of 12 feet from the R-O-W Line. Also, the applicant states that the proposed sign would be replacing an existing sign and would be installed in the same location as said existing sign. The proposed sign has an approximate area of 202 square feet. The proposed sign has an approximate height of 32 feet. Our Ordinance says it shouldn't be more than 25 feet in height. This was passed on to the Supervisors because it is existing. They are proposing to modify the existing structure. It may not meet your setback requirements; it may not meet your height requirements. They are proposing electronic display type features which typically requires having a Conditional Use Hearing. They have had electronic messaging on that sign at some point in the past. It is your discretion at how you want to proceed. Gary Risch stated what we are looking at is upgrading the sign that is there. You will be making it better than it is now. The Signstat Representative stated the sign was installed in July of 1991. Gary Risch stated this will be an upgrade to the sign. Ray Smetana, Planning Commission Chairman, stated the original sign was an electronic sign. They are just replacing an existing, nonconforming sign. My question was do they need a Conditional Use Hearing? Gary Risch answered I would not think so. Atty. Lutz stated I was at the Planning Commission Meeting filling in for Joe Charlton. I can live without a Conditional Use Hearing because it is an existing situation that they are

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making better. They are making it closer to being in compliance than it was. I could give you the opinion, if you want to go that way that you could go without having a Conditional Use Hearing. Matt Sweeny asked what about the neighbors? Gary Risch answered he addressed that at the Planning Commission Meeting. The Signstat Representative stated at night when it gets dark it dims down to 750 NITS. Matt Sweeny asked is that programmable? The Signstat Representative answered yes; it has a photo cell. Ray Smetana stated it is fine putting fundraising things on that sign; but you cannot put a sign up for another business. Otherwise it would be considered a billboard.

On motion of Albert Roenigk, seconded by Matt Sweeny, to approve the Lernerville Speedway Sign on North Pike Road. Motion Carried. Un. Approval.

**JOHN ALLEN JR. FAMILY TRUST – SUBDIVISION – PARKER ROAD - APPROVED**

John Allen Jr. Family Trust is proposing a subdivision of property located at the intersection of Parker Road and SR 356. The proposed subdivision will divide Parcel B, a 117.3 acre parcel, into three parcels. Proposed Lot #1 will be 4.0 acres, proposed Lot #2 will be 4.7+- acres, and the residual—Parcel B-1—will be 108.7+- acres.

The township office has received the revised Subdivision Plan, Filing Fee, Butler County Planning Commission comments (BCPC did not have any comments on this Plan as per letter received on 12/13/17), Twp. Engineer comments (letter received on 12/6/17), Municipal Authority comments (The revised set of Plans, submitted today, depict drawings and access easement information that were not on the previous set of plans. With respect to our existing sewage facilities in this area, we request a profile of the drainage pipe relative to our sewer main line, especially at points where the drainage line is proposed to cross our sewer main as per letter received on 12/13/17), and Twp. Planning Commission comments (favorable recommendation contingent on complying with Twp. Engineer's Review Letter dated 12/6/17).

Ken Howard stated at last week's meeting there were a couple of items that needed to be addressed by the Engineer. Their Engineer has submitted revised drawings to us this afternoon. They have addressed all of our concerns. With the revisions that we received, we would recommend approval of the Plan as presented. Gary Risch asked what about the Municipal Authority comments? Ken Howard answered they saw the revised Plan today and explained.

On motion of Albert Roenigk, seconded by Ron Zampogna, to approve the John Allen Jr. Family Trust Subdivision located on Parker Road. Motion Carried. Un. Approval.

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**REMARKS FROM THE FLOOR**

Terry Tague thanked the Police Department for what they have done for all of the races in 2017. We have money for the Fire Departments.

Ray Smetana stated I read some municipalities are giving Volunteer Fire Department Members a rebate on their Wage Tax. It is usually between \$200 and \$300 a person. We are in the process of rewriting our Ordinances. We would have to have an Ordinance for this. I would like permission from somebody to do this. Matt Sweeney stated I think it is an excellent idea. Ray Smetana stated you are going to have to figure out who is eligible and the criteria for how many hours. Atty. Lutz stated it is very feasible to do. You have to pass an Ordinance to do that. We can get some examples of Ordinances from Harrisburg. This would have to be advertised and you would have to go through the process. Ray Smetana stated it is up to you as to how much and how you are going to control it. Atty. Lutz stated I think there is a cap on it. Albert Roenigk stated we have been trying for years to find an incentive for volunteers for the Fire Departments.

Christina Myers stated the chickens have been moved off my property. Roger Kelly commented. Matt Sweeney asked did you get any feedback from your neighbors? Christina Myers answered no. Matt Sweeney stated thank you.

**ADJOURNMENT** was on motion of John Zurisko, seconded by Matt Sweeney, at 8:30 p.m. Motion Carried. Un. Approval.

**APPROVED:**

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**ACTING CHAIRMAN**

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**SECRETARY**