

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – MARCH 22, 2017

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, March 22, 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 held an Executive Session with their Solicitor this evening in the Township Municipal Bldg.
- (b) John Haven attended the Butler County Conservation District Transition Meeting on March 9.
- (c) John Haven attended the Butler County Infrastructure Meeting (COG) in Penn Township on March 16.
- (d) John Haven attended the Buffalo Township Municipal Authority Board Meeting on March 16.
- (e) John Haven attended the Buffalo Township Municipal Authority Meeting with Concordia Officials on March 20

APPROVAL OF THE MINUTES of the March 8, 2017 Regular Monthly Meeting of the Buffalo Township Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Ron Zampogna. Motion Carried. Un. Approval.

OLD BUSINESS

REPAIRS TO JOHN DEERE TRACTOR – DISCUSSION

Gary Risch stated the John Deere’s Motor is shot. He listed all of the things that the tractor is going to need. This will cost us between \$6,000 and \$7,000 more to get fixed. John Haven asked is

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there a time frame for this? Gary Risch answered no; I will call him back tomorrow. John Haven stated at our last meeting we approved spending up to \$12,000 to get this repaired; do we need to revise our motion? Atty. Lutz answered no.

SKID LOADER - DISCUSSION

Gary Risch stated since we don't have the sweeper coming from Freeport any more, I have been getting prices on a skid loader. A new skid loader ranges anywhere from \$57,000 down to \$40,000. He commented on the cost of other equipment that will be needed. John Haven asked could we look at possibly leasing? Sarver True Value has a bobcat. Gary Risch stated we could use a skid loader for other things. Albert Roenigk stated I don't think we need to be buying now. Having an outside company come in to do the street sweeping was discussed. Gary Risch commented on the other uses for a skid loader. Bob Fletcher stated we need something. Ron Zampogna stated it is worth looking into.

BUFFALO TOWNSHIP/AUDUBON PARK

Jim Bonner, Audubon Society, stated we hired our first permanent employee. She started training on Monday. We have begun to look at pre-engineering and engineering for the park. There will be some permitting challenges since Little Buffalo is a high quality stream. We will be meeting with the DEP and the Conservation District. He commented on some possible funding. Geographic areas were identified. Buffalo Township and the Buffalo Creek Valley is in that area. They are interested in emerging MS4 communities. John Haven stated sewage is available; water is on the Phillips Property. If you want to have a meeting someday, they could tell you how the water will get to the Nature Park.

NEW BUSINESS

DATE SET AND ADVERTISING APPROVED FOR ANNUAL ROAD TOUR

On motion of Ron Zampogna, seconded by Matt Sweeny, to approve setting the date and advertising for the annual Road Tour. The Road Tour will be held on April 8, 2017, at 8:00 a.m. Motion Carried. Un. Approval.

BUILDING GRAVEL BEDS – DISCUSSION

Gary Risch stated we were thinking that we have to do things for the MS4. I thought it would be a good idea to build four or five bins around the salt shed and put our gravel in there. We could buy gravel and have it here when we need it. We could have it all neat. We could use 42 whole blocks and 5 half blocks. For the back wall we could use the salt shed. It would cost approx. \$4200. Bob Holbein said he would haul them as Thrower makes them they will load the trailer.

PA 356 CORRIDOR IMPROVEMENT PROJECT – DISCUSSION

John Haven stated the meeting for the design will be the later part of 2017. I spoke with a Representative from the Southwest Pennsylvania Commission. We discussed the 356 corridor in Buffalo

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Township. He read all of the issues. We will be looking for a letter coming from the County stating that that there will be a meeting with the County and SPC in preparation for this. We are on the TIP for 2017 for \$880,000 for design and engineering for 356. John Allen asked about the location? John Haven answered initially they were looking at Rt. 28 to Rt. 228. The first phase will probably be from Rt. 28 to Giant Eagle. John Allen asked will you advertise that meeting? John Haven answered I can.

REQUEST FOR EXEMPTION FROM MAXIMUM NUMBER OF CHICKENS FROM CHRISTINA MYERS, GARDEN WAY – DISCUSSION

Christina Myers, Garden Way, is requesting an exemption from the maximum number of chickens allowed. Christina Myers explained the location of her property and stated it is a full acre. Approx. half an acre is fenced. She explained that the chicken coop was in existence when she purchased the property and is situated well over 100 feet from any other residence. She explained how this is part of her job. She explained how they battled with odor in the past during the spring thaw and explained what they have done. She stated that they currently have a rooster and explained health considerations for her 9 year old daughter. Roger Kelly, Zoning Officer, stated you are allowed four chickens and no rooster. Gary Risch asked do you sell the eggs? Christina Myers answered no. Gary Risch asked how many eggs do you get a day? Christina Myers answered 16. Gary Risch asked how many complaints were received? Roger Kelly answered I received two phone calls; my concern is this is her livelihood. John Haven asked how long have you lived there? Christina Myers answered since 2010 the chicken coop was there when we moved in. John Haven asked could you lease space? Christina Myers answered that doesn't seem feasible. I could get a statement from the neighbors. John Haven stated that could go a long way. Atty. Lutz stated she does not meet the conditional use requirements; she could go to the Zoning Hearing Board. John Allen commented on people liking the rural character in the township. Atty. Lutz stated Roger Kelly and I will talk and get back to you. Another option is we have been discussing amendments to our ordinance. Jim Jackson asked if someone has ten acres how many chickens can they have? Atty. Lutz answered it depends on the zoning.

LAND DEVELOPMENT

TWIN OAKS – PRD NO. 1, PHASE 1 – LAND DEVELOPMENT AND SUBDIVISION – REMOVED FROM TABLE OF 3/8/17 AND APPROVED CONTINGENT ON COMPLYING WITH BANKSON ENGINEER'S LETTER DATED 3/22/17 – MODIFICATION REQUEST FOR REQUIREMENT FOR 3% GRADE PURSUANT TO 303.11 OF TWP. SUBDIVISION AND LAND DEV. ORDINANCE – DENIED -- MODIFICATION REQUEST FOR REQUIREMENT FOR 15" DIAMETER MINIMUM PIPE SIZE PURSUANT TO 501. b.21.D4 OF TWP. STORMWATER MANAGEMENT ORDINANCE - APPROVED

On motion of Matt Sweeny, seconded by Ron Zampogna, to remove the Twin Oaks PRD No. 1, Phase 1, Land Development and Subdivision from the table of 3/8/17. Motion Carried. Un. Approval.

Lennon, Smith, Souleret Engineering, Inc. is submitting the Twin Oaks PRD 1, Phase 1 Land Development and Subdivision on behalf of the John Allen Jr. Family Trust. The Plot Plan is included as

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supplemental information and shows the entire project area of PRD Nos. 1, 2, 3. While Phases 2 and 3 of PRD No. 1 are not a formal part of this submittal, they are providing the information so the township can see how all three PRDs are integrated.

Lennon, Smith, Souleret Engineering, Inc. on behalf of John Allen Jr. Family Trust is transmitting herewith the following items to complete the Final Land Development and Subdivision review for subject project. This was received 2/28/17 via hand delivery: Rain Garden Bypass calculations, Rain Garden Bypass Alternate calculations, Pre-Development Hydrographs for the swale, Rain Garden discharge pipe calculations, revised slope design by ACA Engineering-Twin Oaks PRD No. 1 Plans (Sheet Nos. 7, 17A, 17B, and 22 of 23, and PCSM3 of PCSM3), Penn Dot and ASSHTO Guidelines for longitudinal slope, Sheets 9ALT and 9ALT-0 of 23, item by item response to comments received verbally and/or by email from Bankson Engineer, Inc., between 2/22/17 and 2/28/17.

On behalf of the John Allen Jr. Family Trust, Lennon. Smith, Souleret Engineering, Inc., is hereby requesting the following two (2) modifications for the subject project (received 3/8/17 via email):

1. A modification of the requirement for a 3% grade for 25 feet approaching an intersection pursuant to 303.11 of the Township's Subdivision and Land Development Ordinance (see letter dated 3/7/17).
2. A modification of the requirement for 15" diameter minimum pipe size, pursuant to 501.B.21.d4 of the Township's Stormwater Management Ordinance (see letter dated 3/7/14).

A revised landscape plan for Twin Oaks PRD 17A Phase I received 3/8/17 via email from Lennon, Smith, Souleret Engineering, Inc. in response to Bankson Engineers comment #6 on letter dated 2/28/17.

The township office has received Copy of Plan, Filing Fee, Stormwater Management Report, Erosion and Sedimentation Control Narrative, Plan, and Details, Butler County Planning Commission comments (BCPC did not have any comments on this plan), Twp. Engineer comments (see letters dated 2/28/17 and 3/22/17), Municipal Authority comments (MABT has reviewed the plan and would like to offer the following comments: Public water and sewage service will be provided by the Authority to the Phase 1 Twin Oaks Plan of Lots. The water and sewage construction plans have not been approved and are contingent upon submittal of revisions addressing deficiencies identified by Gibson-Thomas Engineering (as per letter received 3/7/17), Butler County Conservation District comments (see letter dated 2/28/17), and Township Planning Commission comments (favorable recommendation contingent on complying with and addressing the Township Engineers comments in the letter dated 2/28/17). The Resolution for the Planning Module was adopted by the Supervisors at their 12/14/16 Regular Monthly Meeting and was given to John Allen to submit to DEP. The Fee in Lieu of has not been received.

Ken Howard stated we provided comments to the Planning Commission in letters dated January 4, 2017, February 1, 2017, February 8, 2017, and February 28, 2017. The Gateway Engineers, Inc.

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has submitted additional information in regard to the Hepler Road realignment. Our comments are as follows. It appears that submitted plans are sufficient for the Township to apply for and obtain a Pennsylvania Department of Transportation Highway Occupancy Permit for improvements to the Hepler Road and Sarver Road intersection; however, the Developer shall be responsible for any and all additional information/revisions as required by the Pennsylvania Department of Transportation. The subbase, as shown on Typical Pavement Section Sheet 2 of 3, shall be revised to meet the Township Construction Standard. Said Standard is 10-inch crushed limestone, consisting of 8 inches of Penn. D.O.T. Number 4 stone choked with fines, topped with 2 inches of Penn. D.O.T. Number 2A stone, and including Penn. D.O.T. Class 4, Type A geotextile underlayment. The General Comments include: The Developer's Agreement and associated Cost Estimates, Stormwater Management Operation and Maintenance Agreement, and Homeowner's Association Agreement all need to be executed prior to final approval. All of those agreements are in the works. The Developer shall comply with the Grading Ordinance, Ordinance Number 113, and obtain a Grading Permit. Any approval should be conditioned upon all approvals and permits that are required from PA D.E.P., including, but not limited to: NPDES Permit for stormwater discharges associated with construction activities. An individual NPDES Permit will be required for this site. Sanitary Sewage Facilities Planning Module. Approval from Butler County Conservation District for Soil Erosion and Sedimentation Control will be required. Design of water and sewer systems must be reviewed by and approved by the Buffalo Township Municipal Authority. A Developer's Agreement which lists the maintenance responsibilities, bonding requirements, and ownership of facilities will be required. Developer shall provide financial surety. Developer's Agreement will include street signs and stormwater pond fence to be installed prior to occupancy of the first home. It appears that the proposed plan is in compliance with the Joint Municipal Comprehensive Plan. We could recommend approval of this Plan as submitted with the conditions of complying with our letter dated March 22, 2017. Under the modifications, we support the modification for the requirement for the size of the pipe. The request for modification of the requirement for a 3% grade for 25 feet approaching an intersection, we recommend not approving that. The Developer has already submitted drawings that comply with your Ordinance.

Atty. Lutz stated I did submit the Developer's Agreement to Mr. Graham the Attorney who is here tonight representing the Developer. He provided me with some minor comments. I think we are in pretty good order with that. The Homeowner's Association Agreement there were some changes to it that did not affect the township. There was one minor item that I got back to Mr. Graham in regard to amendments and that was all okay. The Stormwater Agreement is our standard form and they are agreeable to that. We are close to finalizing all of that. If you were to approve the Plan conditioned on compliance with all of the items set forth in Bankson Engineer's Letter dated March 22, 2017, following that approval you would have to make a separate motion to approve modification #2 that was requested and a separate motion to deny the request for modification #1 with regard to the grading issue that was requested. Also under our Ordinance I am going to have to prepare a finding of fact.

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Someone stated that was done. Atty. Lutz asked where are we with the Municipal Authority? John Allen answered I have been in contact with the Authority Engineer. Atty. Lutz stated your first motion, if you so desire, would be to approve the Plan contingent on compliance with the items set forth in the Twp. Engineer’s Letter dated March 22, 2017. John Haven asked what about the Fee In Lieu Of? Atty. Lutz answered my understanding is they are going to pay the fee once the Plan is approved.

On motion of Gary Risch, seconded by Ron Zampogna, to approve the Plan contingent on compliance with all of the requirements set forth in the Twp. Engineer’s Letter dated March 22, 2017. Motion Carried. Un. Approval.

On motion of Gary Risch, seconded by Albert Roenigk, to deny the request for modification no. 1 of the requirement for a 3% grade for 25 feet approaching an intersection pursuant to 303.11 of the Township’s Subdivision and Land Development Ordinance. Motion Carried. Un. Approval.

On motion of Gary Risch, seconded by Matt Sweeny, to approve the request for modification no. 2 for the requirement for 15” diameter minimum pipe size, pursuant to 501.B.21.d4 of the Township’s Stormwater Management Ordinance. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

Jim Jackson, Parker Road, asked what happened to the John Deere Tractor? Gary Risch stated, in my opinion, it wasn’t maintained well. Matt Sweeny stated it is an air filter issue and explained. Gary Risch explained the cost

Atty. Lutz stated we will be having an Executive Session immediately following this meeting; we will not be coming back. This is regarding personnel issues.

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

APPROVED:

CHAIRMAN

SECRETARY