

**BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – JUNE 14, 2017**

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, June 14, 2017, in the Buffalo Township Municipal Building and convened at 7:35 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, Ken Howard, and Representatives from the Bozzone Bayberry Development Group had a conference call relating to the development of the 25 acres on Route 356 on May 30.
- (c) John Haven attended the Regional Transportation Alliance on May 31.
- (d) Albert Roenigk and Matt Sweeny attended the Workshop and Planning Commission Meeting on June 7.

---

**APPROVAL OF THE MINUTES** of the May 24, 2017, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Ron Zampogna. Motion Carried. Un. Approval.

**ACCEPTANCE OF THE TREASURER’S REPORT**

The Treasurer’s Report for May 2017 was read by John Haven. Acceptance of the Treasurer’s Report for May 1-31, 2017, inclusive for audit, was on motion of Ron Zampogna, seconded by Matt Sweeny. Motion Carried. Un. Approval.

**BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – JUNE 14, 2017**

**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.

**PAY REQUEST FROM JC LEE CONSTRUCTION AND SUPPLY COMPANY - APPROVED**

Gary Risch asked do you want to pay the Rails to Trails, too? Ken Howard stated the JC Lee Construction and Supply Company has been working on the Trail resurfacing project. Last Friday they installed the aggregate on approx. 12,000 linear feet of the Trail on the northern section. We have a pay request tonight that we would recommend approval of in the amount of \$102,948.68. After approval by the township, we will submit this on the electronic system for Penn Dot to approve this. Atty. Lutz asked because this is a non agenda item, are there any public comments or questions?

On motion of Albert Roenigk, seconded by Matt Sweeny, to approve the pay request from JC Lee Construction and Supply Company in the amount of \$102,948.68. Motion Carried. Un. Approval.

**REPORTS**

- (1) **THE ELECTED TAX COLLECTOR'S REPORT** received from Carla Garia for May 2017 included \$3,531.61 in Twp. Real Estate Tax @ discount; \$960.00 in Twp. Real Estate Tax @ face; and \$66.00 in Twp. Real Estate Tax @ penalty
- (2) **THE APPOINTED TAX COLLECTOR'S REPORT** from Berkheimer Tax Administrator for May 2017 is for \$130,501.70 in Earned Income Tax and \$18,794.37 in Local Services Tax
- (3) **THE APPOINTED TAX COLLECTOR'S REPORT** from Sharp Collections for May 2017 is for \$607.71 and for June 2017 is \$1,051.52
- (4) **WEEKLY REALTY STAMP SALES** received from the County for May 2017 is \$9,902.99
- (5) **ZONING OFFICER'S REPORT** for May 2017 is for 17 permits issued; 3 Single Family Residences, 1 Commercial Buildings/Addition, 1 Residential Garage, 1 Pool, 3 Decks, Porches, and Roofs, and 8 Grading Permits  
Building Permit Fee: \$3,860.40 Grading Permit Fee: \$470.00 Mileage: 226 Miles
- (6) **DISTRICT JUSTICE'S REPORT** for May 2017 is for \$207.92 in Ordinance & Statute Violations and \$740.39 in Vehicle Code Violations
- (7) **THE BUFFALO TWP. VFC FIRE CHIEF'S REPORT** for January 2017 included 30 total calls for the month and \$10,000 in Fire Damage for the month and the year

**BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – JUNE 14, 2017**

**OLD BUSINESS**

**REQUEST FROM EVANGEL HEIGHTS CHRISTIAN ACADEMY FOR ANNUAL EAGLE 5K RACE – DENIED**

John Haven stated that they would like to expand on their annual Eagle 5K Race. This year they would like to host the event on their school campus on Beale Road. The Race would start and end at the school. The race course would be along Beale Road, Garden Way, and Silverville Road. They are requesting the Police Dept. to assist them by closing the roads and monitoring the race course from 9 a.m. to 10:30 a.m.

Attorney Lutz stated I haven't heard from them since then. I told them we could talk about alternatives. I don't know how we could close those roads on a Saturday. I would not be recommending this; they would have to come up with a Plan B or go back to the Trail. Chris Ziegler, President of the Butler-Freeport Trail Council commented on the administrator. Atty. Lutz stated since this is on the agenda you may want to make a motion to reject their request.

On motion of Ron Zampogna, seconded by Gary Risch, to deny the request from Evangel Heights Christian Academy for the annual Eagle 5K Race along Beale Road, Garden Way, and Silverville Road. Motion Carried. Un. Approval.

**FREEPORT CROSS COUNTRY BOOSTERS 5K WAS A GREAT SUCCESS**

**THE GIRL SCOUTS HAD A VERY GOOD TIME WITH THEIR 3 DAY ACTIVITIES AT THE OREGON CAMP**

**BUFFALO TWP. AND BAYBERRY DEVELOPMENT GROUP ARE HAVING ONGOING CONVERSATIONS IN REFERENCE TO THE DEVELOPMENT ON RT. 356**

John Haven stated we had telephone conversations. We still have a couple of issues that need to be resolved. We will discuss this further. Once the issues are resolved, we can work something out. Ken Howard stated we had a positive discussion with the Developer and hope that both parties can come together for possible development. Atty. Lutz stated it was positive. Some items need to be negotiated. John Haven stated Penn Dot seems agreeable to the lights and turning lanes.

**SARVER'S MILL PHASE 3B THIRD AMENDMENT TO DEVELOPERS AGREEMENT – RETROACTIVELY APPROVED**

Atty. Lutz explained this was a new Phase that they were doing up there. We took the opportunity to clean up the Developer's Agreement and get it in line with some of the recent changes and requirements based on some of our past experiences; we saw some deficiencies in those Agreements. They were fine with it and Ken's office reviewed it and we had their comments. We incorporated all of the things that Ken and Dave wanted in it. I recommend that you pass a motion to approve this.

**BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – JUNE 14, 2017**

On motion of Matt Sweeny, seconded by Gary Risch, to retroactively approve the Sarver's Mill Phase 3B Third Amendment to the Developer's Agreement. Motion Carried. Un. Approval.

**NEW BUSINESS**

**REQUEST FROM AMERIKOHL MINING, INC. TO TERMINATE THE EXCESS MAINTENANCE AGREEMENT DATED MARCH 20, 2014 – APPROVED**

John Haven stated Amerikohl Mining, Inc. is requesting to discontinue their Excess Maintenance Agreement dated March 20, 2014 for sections of Thompson and Howes Run Road. They have decided not to activate the Thompson Surface Mine due to very poor market conditions. If market conditions would improve, they would come in and enter into a new Excess Maintenance Agreement for the above referenced mine site. These are Bond #106048603 in the amount of \$16,250 and Bond #106048593 in the amount of \$25,625.

Atty. Lutz stated if they are not going to do it, there is no reason to keep the bonds in place. They can come back in. You will need a motion to approve the termination of the Excess Maintenance Agreement. Ken Howard stated the lease has expired at this time.

On motion of Ron Zampogna, seconded by Albert Roenigk, to approve the request from Amerikohl Mining, Inc. to terminate the Excess Maintenance Agreement dated March 20, 2014 for sections of Thompson Road and Howes Run Road and to release the accompanying bonds—Bond #106048603 in the amount of \$16,250 and Bond #106048593 in the amount of \$25,625. Motion Carried. Un. Approval.

**HORSES ON BUTLER-FREEPORT COMMUNITY TRAIL DISCUSSION**

John Haven stated horses are to be only on the side of the Trail when it is dry. They are not permitted on the Trail surface. I had several calls last week from a concerned Trail Council Member. We had a discussion with a horse owner. Chris Ziegler stated she has given me your name before. Gary Risch asked why are horses allowed on the Trail? Chris Ziegler answered because we don't allow ATV's on the Trail. Albert Roenigk stated horses got us a lot of people in favor of the Trail. Chris Ziegler stated a few years ago we had to say why our Trail didn't allow ATV's. It is not conducive to a safe environment. Ron Zampogna and Matt Sweeny commented. Ron Zampogna asked do a lot of people take horses on the Trail? Chris Ziegler answered not a lot. John Haven stated maybe three a week. Bob Fletcher, Road Department, commented on dogs on the Trail. Jim Bonner, Audubon Society, suggested you could require them to be permitted; but that could be more hassle than what it is worth.

**BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – JUNE 14, 2017**

**PENN DOT REQUESTING INFORMATION REGARDING TURNING LANES ON RT. 356 AND REQUESTING ANY DESIGN OR DRAWINGS AT THE TWP. BUILDING FROM PAST YEARS**

John Haven stated Janice received a letter from Penn Dot. Ken Howard stated we provided the information. Penn Dot has indicated that they are studying this corridor trying to make improvements in order to get that third turning lane. It is encouraging that Penn Dot is studying this. Ron Zampogna stated when I was in the other day to get my mail two gentlemen stopped in and asked if we would be in favor of crosswalks and sidewalks up and down Rt. 356 from Rt. 28 to Giant Eagle. My personal opinion would be that is a great asset to the township; particularly from Harbison to Giant Eagle where it is more of a semi-flat area. I think people would utilize it especially from Getgo to Giant Eagle. My personal opinion is that I would be in favor of that. Lt. Derringer asked are they looking to run that turning lane to Monroe Road or Buffalo Plaza? John Haven answered the first phase would be to Buffalo Plaza.

**II-VI INC. ANNOUNCING TESTING OF THE COMMUNITY EARLY WARNING SYSTEM ON FRIDAY, JUNE 23, AND SATURDAY, JUNE 24, 2017 AT NOON**

**POLICE OFFICER PROMOTION – APPROVED**

Lt. Tim Derringer stated before Sgt. Healey retired a couple of weeks ago we were running with two Sergeants. I would like two keep running with two Sergeants. I would recommend promoting Officer Scott Hess.

On motion of Gary Risch, seconded by Matt Sweeny, to promote Officer Scott Hess to Sergeant. Motion Carried. Un. Approval.

**OPENING OF BIDS FOR WINFIELD TOWNSHIP PROPERTY**

Atty. Lutz stated we received one bid for Armstrong Cement and Supply Corporation for \$5,000. This is substantially below the appraisal that we obtained. We have now gone through the bidding process twice so we are free to negotiate a price with them or any others. There are some others that may have been interested. We are free to contact them. We can get back to these folks and say that is not enough or you can accept the \$5,000 offer. Matt Sweeny asked do you remember what the appraised value was of that property? John Haven answered \$53,000. Atty. Lutz stated we can negotiate with folks.

**REMARKS FROM THE FLOOR**

Jim Bonner, Audubon Society, stated our Board approved the Joint Operating Agreement and the MOU. It is back on Larry's desk. We are open to when the date for us to take over the cutting grass, etc. My Board said okay to July 1. Atty. Lutz stated we have already approved everything; we can shoot for a signing for July 1. Jim Bonner stated we will probably have revised drawings to see before your next meeting. We are pulling some of the elements closer to the center and back from the creek. We

**BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – JUNE 14, 2017**

plan to remove the foundation from the existing Oregon Club. We would like to do one larger and one smaller pavilion on the property. We discovered that it is the 75<sup>th</sup> Anniversary of the Todd Nature Reserve. We will have celebrations around that event at the site on July 29. There will be a full day of events and activities. We would like to get a Monroe Road address for this property for recognition in the community. Everyone would know where Monroe Road is. The Board told Jim Bonner to contact Rhonda. Gary Risch asked do you have a new name yet? Jim Bonner answered we are working on that; we are looking for the right contribution.

Paul Smith from Mars stated I am an Elder at Buffalo Presbyterian Church on Sarver Road. We are interested in getting a sign to see if it would help in slowing down the traffic. I went to the State and was told to start with the township to get the paperwork started. We are a small Church; the people are all older and their reflexes aren't as good as they used to be. John Haven explained the normal procedure would be for us to write a letter to Penn Dot. If they approve it, you would have to buy the sign and our Road Department would install it. Albert Roenigk asked what the speed limit is? Lt. Derringer stated it fluctuates. We could paint lines there. Atty. Lutz asked what is the cost of a sign? Janice Zubrin answered \$35 - \$40. Paul Smith commented on the Church not being able to afford to pay for the sign. I didn't realize that we would have to pay for the sign. John Haven stated they have new adhesive signs that might save you money. Tim will have lines painted out there and will have someone there. What would you want on the sign? Lt. Derringer stated slow down Church entrance ahead.

**ADJOURNMENT** was on motion of Gary Risch, seconded by Ron Zampogna, at 8:15 p.m. Motion Carried. Un. Approval.

**APPROVED:**

\_\_\_\_\_

**CHAIRMAN**

\_\_\_\_\_

**SECRETARY**