

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 11, 2018

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, July 11, 2018, in the Buffalo Township Municipal Building and convened at 7:30 pm.

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

Roll Call

Ron Zampogna II	Present
Gary L. Risch	Present
Albert T. Roenigk	Present
Matthew J. Sweeny	Present
John Zurisko	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) Ron Zampogna and Janice Zubrin met with a representative of Whitman, Requardt & Associates regarding an update on the Route 356 Corridor June 29.
 - c) The Board of Supervisors met with their Solicitor and Roger Kelly in the Township Municipal Building on July 1.
 - d) John Zurisko attended the Planning Commission Meeting on July 5.
-

APPROVAL OF THE MINUTES of the June 13, 2018, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Albert Roenigk. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for June 1-30, 2018, inclusive for audit, was on motion of John Zurisko, seconded by Matt Sweeny. Motion Carried. Un. Approval.

MONTHLY BILLS

After reviewing the 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.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 11, 2018

REPORTS

- (1) THE ELECTED TAX COLLECTOR’S REPORT (CARLA GARIA):**
 - **JUNE 2018:** Twp. Real Estate Tax is \$7,659.87, Per Capita @ Face is \$1,450.00
- (2) THE APPOINTED TAX COLLECTOR’S REPORT (BERKHEIMER):**
 - **JUNE 2018:** Earned Income Tax is \$118,746.92, Local Services Tax is \$3,411.88
- (3) THE APPOINTED TAX COLLECTOR’S REPORT (SHARPS):**
 - **JUNE 2018:** Twp. Share is \$1,232.41
- (4) WEEKLY STAMP SALES (DEED TRANSFER’S):**
 - **JUNE 2018:** Did not receive as of 7/11/18
- (5) ZONING OFFICER’S REPORT (ROGER KELLY):**
 - **JUNE 2018:** 30 Permits Issued, 5 Single Family Residences, 2 Residential Additions, 1 Residential Garage, 1 Storage Building, 5 Porch/Deck/Roof, 5 Pools, 1 Pool House, and 10 Grading Permits.
Building Permit Fee: \$5,571.95, Mileage: 230, Grading Permit Fee: \$565.00, Lot Development Fund: \$2,164.26
- (6) THE DISTRICT JUSTICE’S REPORT:**
 - **JUNE 2018:** Did not receive as of 7/11/18
- (7) BUFFALO TWP. POLICE REPORT**
 - **JUNE 2018:** Total calls 221
- (8) BUFFALO TWP. VFC, CHIEF’S REPORT**
 - **JUNE 2018:** Did not receive as of 7/11/18
- (9) SARVER VFC, CHIEF’S REPORT**
 - **JUNE 2018:** Did not receive as of 7/11/18

OLD BUSINESS

MOTION TO REAPPROVE M. KELLEY PLAN NO. 1 SUBDIVISON

Atty. Lutz stated that this was approved several months ago and too much time has elapsed for it to be recorded. We just need a simple motion to reapprove this plan and have it signed tonight with a new date, so it can be recorded.

On motion of Matt Sweeny, seconded by Albert Roenigk, to reapprove M. Kelley Plan No. 1 Subdivision. Motion Carried. Un. Approval.

NEW BUSINESS

MOTION TO APPROVE PROPOSED (FEMA) FLOOD PLAIN ORDINANCE #133

On motion of Albert Roenigk, seconded by John Zurisko, to approve Flood Plain Ordinance #133. Motion Carried. Un. Approval.

MOTION TO APPROVE STORMWATER MANAGEMENT ORDINANCE #134

On motion of Matt Sweeny, seconded by Albert Roenigk, to approve Stormwater Management Ordinance #134. Motion Carried. Un. Approval.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 11, 2018

MOTION TO APPROVE RELINQUISHING \$46, 887.50 BOND BY JOHN ALLEN JR. FAMILY TRUST

Ron stated that a letter was received from the Municipal Authority stating that there are a couple items that need discussed. Ken Howard stated that the water line has been installed as per our requirements when the subdivision was approved they were required to post bond as financial security to construct water service to 104 Hepler Road. The line has been installed and has passed the hydrostatic pressure test but there are two minor issues that the Municipal Authority has brought to our attention in a letter dated July 10th. The letter states that there is an issue with the fire hydrant that was installed that the manufacturer of the hydrant will be taking care of and a water tap to be installed for 104 Hepler Road as part of the Municipal Authorities letter. We would recommend the release of the bond with the contingencies that these requirements would be met.

On motion of Gary Risch, seconded by Matt Sweeny, to approve relinquishing Bond in the amount of \$46,887.50 by John Allen Jr. Family Trust contingent upon meeting the requirements of the Municipal Authority of Buffalo Township. Motion Carried. Un. Approval.

MOTION TO APPROVE SHARP COLLECTIONS AS BUFFALO TOWNSHIP DELINQUENT TAX COLLECTOR FOR THE FISCAL YEAR OF JULY 1, 2018 THROUGH JUNE 30, 2020 FOR TAX YEARS 2011 AND PRIOR, THE SAME TERMS AND CONDITIONS AS IN PREVIOUS YEARS WOULD APPLY

On motion of Gary Risch, seconded by Matt Sweeny, to approve Sharps Collections LLC as the Township Delinquent Tax Collector for the fiscal year of July 1, 2018-June 30, 2020. Motion Carried. Un. Approval.

LAND DEVELOPMENT

B. VENENDAAL PLAN (REVISED) – LOT LINE REVISION – WESTON LANE

B. Venendaal is proposing a lot line revision to revise tax parcel numbers 040-1F92-A12AA shown as amended revised Lot 1, and A12AAA, shown as revised Lot 2. Both parcels have existing dwellings and are exchanging .120 acres. Parcel A12AA is conveying property to the east of parcel A12AAA, shown as Tract “A” and receiving property to the south of A12AAA, shown as Tract “B”.

The Township office has received the Lot Line Fee, Lot Line Revision Application, 7 copies of the plan, Municipal Authority comment letter received 6/28/18; (MABT would like to offer the following comments regarding this plan: Public water does not exist within the vicinity of this plan. Both properties are already served with public sewage). Bankson Engineer comment letter received 7/5/18; (We have completed a review of the Revised Subdivision Plan – Revision dated June 18, 2018. This plan includes a slight lot line revision to the previously approved plan dated June 7, 2018. We recommend approval of the plan as presented).

Ken Howard stated that this was previously approved at the last meeting but since then the land owners decided that they wanted to revise one of the lot lines slightly. So, their surveyor Stan Graff prepared and submitted a new drawing that has a minor revision to one lot line. The Planning Commission reviewed that and approved it at last weeks meeting. We would recommend you approve the plan tonight as presented so that they could record the plan with the change. Steven Graff stated it is just a slight change.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 11, 2018

On motion of Matt Sweeny, seconded by Albert Roenigk, to approve the B. Venendaal Plan as presented. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

Christina Myers, 2219 Garden Way, Freeport, PA 16229 discussed position on chickens.

Megan Sproat, 213 Ekastown Road, Sarver, PA 16055 regarding water issues on her property. Ken Howard was on site today and stated that he looked at her property. He feels that it is not a Township issue due to the major rainfall that we have had this past year and nothing we can do to correct the issue. Atty. Lutz stated that there is some development that could be occurring on top of Breezeway Drive that could help the situation. Gary Risch stated that a resident is building a new home and is planning on putting stone along the driveway which hopefully will help the situation. This might help but it is not a guarantee.

Kevin Buige, 209 Ekastown Road, Sarver, PA 16055 stated that he has lived here since 2010 and I have never had this much water in my yard. I don't understand where the drainage from Breezeway comes from or goes to. My neighbors on both sides of us are having the same type of issues. Matt Sweeny stated that we are having unprecedented amounts of rain late spring and early summer. This is very unusual for this area. John Zurisko stated that we are 10 inches above normal for this time of year. Other Supervisors commented on water issues throughout the Township.

Anne Gallagher, 227 Cole Road, Sarver, PA 16055 discussed position on chickens.

John Allen, Twin Oaks PRD stated that as you recall I came in approximately 6 months ago regarding the former Walters House. Hugh Rumbaugh purchased the property and is renovating it. He is doing a wonderful job. Gary Risch stated that I found out that there is documentation that my family used to live there. At some point we will have to bring a road in off of Parker Road over by the Jacksons property because we have upped our capacity on Hepler Road. Instead of bumping the PRD up against Parker Road, we are looking into dividing off some more of the property along Parker Road to put a couple Farmettes. They could put up a barn with maybe a horse and an area to keep their motor home. I am asking guidance as far as what I can do because I have someone interested in the property. They would be in Arizona during the winter and live here during the summer. When they went to do this, they found out that you are working on the changing some of the Zoning Ordinances in the Township. What do should I tell a potential buyer. If you have 4-5 acres of land you can have animals. Atty. Lutz stated that you changed this property from A-1 Agriculture to R-1 Residential at your request and in the ordinance as it states now, you cannot have Agriculture in Residential areas. Currently there is no animals in R-1 and R-2. It is a Conditional Use if you have 4 acres or more. Atty. Lutz read from the current Zoning Ordinance Booklet. Look at the zoning map, everything in gray is Agriculture. John Allen stated is rezoning an option? Atty. Lutz commented. John Allen stated that there is a hole in 228 in the area of Hepler Road where we did the water tap in. Shields Paving is to come at take care of that. We did put cold patch in for now. Shields will cut that out and pave it properly.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 11, 2018

Bill Hank, 166 ½ Beale Road, stated at last months meeting I brought up about a Stormwater issue in front of my house from the Township ditch. Ron Zampogna stated I believe that Gary Risch and Albert Roenigk went out and looked at the area. We believe that it is our understanding that that is on your property, private property. We can't do anything about it. Mr. Hank stated that you can just divert your Stormwater and if it goes onto private property then it is the property owners problem? Gary asked how long has it been there? Mr. Hank stated since I have lived there. Gary stated that if it has been there that long there is nothing we can do. Mr. Hank stated so it's Grandfathered in? Gary stated no we are not Grandfathered, that is the way it works anywhere. Matt Sweeny asked Ken Howard if he had a chance to look at this and Ken replied no. Albert Roenigk commented. John Allen commented. Gary Risch asked so what would you like us to do Mr. Hank? You can come on my property and fix the issue. Gary Risch stated we cannot come onto private property, you can hire someone to come in and do that, but we cannot. Matt Sweeny commented. This is the other end of Coe Street which is a private road. Atty. Lutz commented regarding the amount of rain that we have been having in these last several years. It is a problem throughout the Township and many people are having issues. Mr. Hank stated it is not the water as much as it is the rocks and debris that has been coming into my yard. It takes days to clean this up. Ron Zampogna stated that he and Ken Howard will come out and look at Mr. Hanks property prior to the next meeting. Ken Howard can then make the decision as far as what is right and wrong. Ken Howard stated that we will take a look at this and have a report for next meeting.

Don Payne, 603 Sarver Road, Sarver stated I spoke to Ken Howard on the phone yesterday regarding work that is being done by Dell Cromie's excavator is not going to cause my property and neighboring properties to take on more water than the properties are already taking on in the last 30 years that I have been living there. I told Ken yesterday that at 9:00 in the morning, Dell had an excavator on Passarelli's field with borders my property. He started digging a trench from my property straight up the hill to his property. He put a 10-inch pipe in there covered it over and didn't do any work today. I called Ken after he dug 75 feet and he never stopped he went clear up. I talked to the man running the excavator yesterday who stated that Dell is all over my butt about getting the water off of his property. So, now the water is being diverted down to my property. This is a private individual and like I said to I want assurances from the Board that this will be done according to whatever laws are on the books for today. We cannot take on any more water. There have been draining tubes put in a while back. The water has a definite path down to Bear Creek Road. Gary Risch asked if they have Passarelli's permission? Mr. Payne stated that I called Mr. Passarelli and he didn't know that he was going to start digging at this time. Ken Howard stated that this was just brought to my attention yesterday. It is apparent that Mr. Smullen is installing some type of Stormwater pipe. We were unaware of this until Mr. Payne brought this to our attention. We are aware that there is a pending Grading Permit and Stormwater Management Plan that was just submitted yesterday for Dell Cromies property just above where this pipe is going in and we have not fully reviewed that as of yet. This is a problem if they were doing this without the proper permits. Ken stated there was not Grading Permit for that pipe. Gary Risch stated that they shouldn't be doing any of this until it is approved. Matt Sweeny stated then I feel he needs contacted then. Albert Roenigk asked if he should use a rock sump? Ken stated a garage building is being purposed with additional parking. They will need to do Stormwater Management whether rock sump or Stormwater basins or a combination of Stormwater, Rock sumps or basins. The

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 11, 2018

storm sewer pipe that is going through a neighbor's yard adjoining properties we are not aware of a Grading Permit for that one. It has not been issued and I am not sure if Roger is aware of this? Roger Kelly stated that he doesn't know anything about this. Gary stated I feel they need shut down. Ken stated that he and Roger should check into to this and pay them a visit. Mr. Payne stated that from Cromies level to my level, it has got to be at least 20 ft elevation. That is putting a whole lot of water down into a storm sewer that is heading straight toward me. I want assurances that he is not going to connect any pipes that he has into any other pipes. Gary asked when the last building was built on his property. Ken stated 6-7 years ago. Ken stated that he did have all of the permits for that building. Mr. Payne stated I don't want anything hooked onto my property. Matt Sweeny commented. Gary Risch commented.

BUTLER-FREEPORT TRAIL COUNCIL UPDATE

Chris Zeigler, Butler-Freeport Trail Council stated that the half marathon registration is up from last year. August is a busy month. If you are going to run, please register. We have cleared about 10 trees from all the storms. Water damage, washouts. The greater Allegheny Passage got the brunt of the storms. A Boy Scout has finished a project closer to Butler. There is a Port O John up there and some benches. He has completely cleaned it up and planted no mow grass which will be easier to maintain. There will be volunteers that are going to weed it and plant flowers in memory of a friend that passed away. They will take care of that area. We have Bollard's out there, and the pipe has been ordered and will be installed within the next couple months. Gary Risch asked about the Port O John that was missing. Chris stated that it was found. It was found close to the area it was taken from. It should be back in Sarver any day. It was going to cost us \$800.00 to replace it.

PARKS & RECREATION COMMITTEE UPDATE

Terry Tague, President of the Parks and Recreation Committee stated that we had a small meeting Tuesday evening with Jim Bonner and Renee Alchier. We would like to be meeting with those folks at their store, so we could work more closely with them. We hope that we could have the Supervisors support to do so. Jim Bonner is very enthused about the idea and welcomes us with open arms and understands that we will be there to help them out as well with other things like Todd Sanctuary which is all part of Parks and Recreation too as far as we are concerned. We will do all we can to help them out. This will bring all of our cause together we will be working with a lot less energy this time. So, if we could have the Supervisors' approval when you are ready. Ron Zampogna stated that we are in support of that as well. If it seems like it works, then do it.

Jim Bonner stated that we have Bald Eagles roosting on our property in the Township. Which is very exciting. It began nesting there this year. Not sure if there are any young ones. Along with the ones that are along the river in Freeport. They are moving throughout the area. We are also excited that the Parks and Recreation Committee will be working closely with us and meeting at the Todd Nature Store in Sarver. We are working on a separate steering committee to help us drive forward on the rest of the Park and those 2 kinds of things can definitely overlap very easily. With regards to the Park we are continuing to work through some of the logistics. We need to go back and look at how the New Flood Plain will work with being so close to the creek, there are some challenges with that. I am waiting on hearing from DCNR. We asked them about moving ahead with demolishing the old building and putting

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JULY 11, 2018

up a Pavilion now while we continue to work through the rest of the engineering and design work. So that there is something there and we can use it, the community can have it as an asset. I hoping to hear back this week.

Vicky Hoffman, Bear Creek Road stated that there is a Welcome to Buffalo Township Sign along route 356 by the 28 off ramp. Matt Sweeny stated that I noticed that yesterday, the grass needs mowed around it. I will have the Road Crew go up and mow around it. Gary Risch stated it is so far off of the road. I know there was a reason for that, but I can't remember why. I think Penn Dot didn't allow us to have it any closer to the road. Janice Zubrin stated it was not even permitted by Penn Dot. Albert Roenigk stated it had to be completely off the Right of Way.

ADJOURNMENT was on a motion of Gary Risch, seconded by John Zurisko at 8:35 pm. Motion carried.
Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY