

BUFFALO TWP. SUPERVISORS – REG. MONTHLY MEETING – SEPT. 13, 2017

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, September 13, 2017, in the Buffalo Township Municipal Building and convened at 7:40 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 Building.
- (b) John Haven, Gary Risch, Matt Sweeny, and Albert Roenigk attended the Ordinance Workshop and Planning Commission Meeting on Sept. 6.
- (c) John Haven, Gary Risch, Ron Zampogna, Matt Sweeny, Albert Roenigk, Ray Smetana, Ken Howard, Janice Zubrin, and Rhonda Swartz met with members of Penn Dot, SPC, and the Butler County Conservation District regarding the Rt. 356 Corridor on Sept. 7 in the Township Municipal Building.

APPROVAL OF THE MINUTES of the August 9, 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 REPORTS

The Treasurer’s Reports for July 2017 and August 2017 were read by John Haven. Acceptance of the Treasurer’s Reports for July 1 – 31, 2017, and August 1 – 31, 2017, inclusive for audit was on motion of Ron Zampogna, seconded by Albert Roenigk. Motion Carried. Un. Approval.

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Gary Risch asked how much is in the Capital Reserve Fund? John Haven answered \$356,897.99. Gary Risch stated we had zero in that fund three years ago. It is thanks to Janice Zubrin our Secretary/Treasurer that we have that amount. She has done a very good job. The Board thanked Janice.

MONTHLY BILLS

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

REPORTS

- (1) **THE ELECTED TAX COLLECTOR'S REPORT** received from Carla Garia for August 2017 is for \$711.86 in Twp. Real Estate Tax @ discount and \$242.00 in Per Capita @ penalty
- (2) **THE APPOINTED TAX COLLECTOR'S REPORT** from Berkheimer Tax Administrator for August 2017 is \$121,362.47 in Earned Income Tax and \$14,971.11 in Local Services Tax
- (3) **THE APPOINTED TAX COLLECTOR'S REPORT** from Sharp Collections for July 2017 is \$770.57; for August 2017 is \$1,321.77
- (4) **THE ZONING OFFICER'S REPORT** for August 2017 is for 27 Total Permits Issued; 8 Single Family Residences, 1 Commercial Building/Addition, 1 Commercial Garage, 1 Church Building, 1 Sign, 2 Pools, 2 Decks/Porches/Roofs, 1 /Renovation, and 10 Grading Permits
Building Permit Fee: \$14,480.70 Mileage: 280 Miles
Grading Permit Fee: \$605.00 Land Development Fund: \$2,064.26
- (5) **THE DISTRICT JUSTICE'S REPORT** for July 2017 is for \$614.83 in Ordinance & Statute Violations and \$675.17 in Vehicle Code Violations

OLD BUSINESS

RETROACTIVE APPROVAL FOR PAYMENT TO HOLBEIN, INC. FOR FOR STABILIZATION AND REHABILITATION OF THE STREAM BANK ON THE TRAIL

On motion of Ron Zampogna, seconded by Matt Sweeny, to make a retroactive motion to approve payment for the stabilization and rehabilitation of the stream bank on the Trail between Monroe and Bear Creek Road at a total cost of \$18,624.00 payable to Holbein, Inc. Motion Carried. Un. Approval. John Haven stated I think they did a fantastic job on such short notice. The Board agreed.

Gary Risch stated we also need to thank Bankson Engineers for getting the permits and doing an excellent job of keeping the project going.

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APPROVAL TO APPOINT A COMMITTEE OF SUPERVISORS TO SET UP A PLAN FOR DISPOSITION OF ARTICLES AND EQUIPMENT FROM EMS FACILITY ON EKASTOWN ROAD

Atty. Larry Lutz stated we need to clean up and sell the property. You can appoint a couple of Supervisors to work with Robert Zanella.

On motion of Ron Zampogna, seconded by Albert Roenigk, to appoint Gary Risch, Ron Zampogna, and Matt Sweeny to a Committee to set up a plan for disposition of articles and equipment from the EMS Facility at 663 Ekastown Road. This Plan needs to be formulated and sent to the Court by October 8, 2017 and will have the assistance of our Solicitor's Office and Robert Zanella. Motion Carried. Un. Approval.

PAYMENT REQUEST #4 TO JC LEE CONSTRUCTION & SUPPLY IN THE AMOUNT OF \$204,674.11

Ken Howard stated the Contractor has completed the work on the Trail Project. This Penn Dot Project does require that you take action on the pay request. This is the 4th and final pay request for their portion of the work. We recommend payment in the amount of \$204,674.11. Matt Sweeny asked John Haven to remind the public of where these funds are coming from. John Haven explained the funds from the Trail resurfacing came from a TAP Grant through Penn Dot. Gary Risch asked how much did we have to pay? John Haven answered our part was our guys went up and graded the Trail at the upper end and Ken's inspection fees. Gary Risch asked where did those funds come from? John Haven answered that was out of the Recreational Impact Fee. Gary Risch stated we have not made any commitment or anything to lease any property in Laneville to make the Trail any longer. Do you think we should try and fix the berms on this or not? We have a lot of materials sitting here that could be put on the berms. We have all of this money tied up in the Trail; we should do whatever we can. Ken Howard stated it is worth taking a look at. John Haven stated I would like to entertain getting a couple of gallons of that dust oil to see if that works. Gary Risch stated I am not looking to spend any more money. This stuff that I am talking about we can do with our people and with stuff we have on hand. I don't think we should spend any more money. Ken Howard stated it would be worth looking at. Matt Sweeny stated we should check into the options.

On motion of Albert Roenigk, seconded by Ron Zampogna, to approve Payment Request #4 to JC Lee Construction & Supply in the amount of \$204,674.11. Motion Carried. Un. Approval.

LETTER REQUESTING EXTENSION OF TIME FOR CLEAN UP OF PROPERTY AT 119 MONTROSE AVENUE & 113 COAL STREET – APPROVED

John Haven read the letter from Barry Wetzel requesting an extension of time for the clean up of property at 119 Montrose Avenue and 113 Coal Street. Roger Kelly stated I was down there today; he is doing a good job on Montrose Avenue. I would recommend that you give him more time. Rhonda Swartz stated 20 days is normal.

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On motion of Matt Sweeny, seconded by Albert Roenigk, to grant Barry Wetzel a 20 day extension to clean up his properties located at 119 Montrose Avenue and 113 Coal Street. Motion Carried. Un. Approval.

APPROVAL ON ROLL CALL VOTE FOR BUFFALO TOWNSHIP TO APPLY FOR A TAP (TRANSPORTATION ASSISTANCE PROGRAM) GRANT FOR THE FOUR CORNERS TRAIL HEAD PROJECT IN BUTLER JUNCTION

Ken Howard stated we have prepared an exhibit for that area. We talked to the railroad some years ago about the possibility of obtaining a parcel of ground near the bottom of the Trail. This is approx. 6 acres of property. There is an opportunity to apply for another round of TAP Funding. We prepared an exhibit today and showed what could be done. This is just a preliminary exhibit. We would need to develop a budget if you wish to apply for this Grant. This application needs to be into Penn Dot and SPC by September 22. Ron Zampogna asked what kind of Grant are we talking about fund wise? Ken Howard answered it depends on what you want to include there. John Haven stated we are looking at the amenities later on because there is water, sewage, and electricity there. We could bring those down from the bridge. Ken Howard stated the first question is what would you want to put in this application. Mat Sweeny asked has there been any further word from the railroad about any type of agreement for that property? John Haven answered the gentleman I have been dealing with is tied up with the hurricane. I talked to him two weeks ago. I asked about purchasing the property. He said that is something that he could take to his higher ups. Last week he said he was waiting on hearing back from them. The lease is on the table. We can lease it. SPC is recommending that we go for a 100 year lease. The Grants were explained. A person in the audience explained the Transportation Alternative Program. Albert Roenigk asked if that property is leased or purchased would it be rail banked automatically? Atty. Lutz answered yes. We are technically preserving that corridor for future railroad use. Ron Zampogna stated my concern would be the purchase or lease would be a wild card going into this. Do we have anything concrete with the railroad? I think it is a great opportunity on a schedule. Atty. Lutz stated that is something that we can look at. John Haven stated it is unimproved and there is nothing there. It is landlocked. Ron Zampogna stated that is the only concern that I have; I think it is a great idea. The cost was discussed. Gary Risch stated I don't think that we should do this because we put enough money into the rails to trails between here and Butler and we are still maintaining that. We don't own the property; nothing says we are going to ever own the property. An article in the paper says that we are all ready leasing it. I am against it. We spent enough money on the rails to trails. Let Allegheny County or Harrison Township do it. Why should we do everything? We spent enough money on the Trail. That is my opinion. John Haven stated it is in Butler County. Albert Roenigk stated it is in Buffalo Township. Gary Risch stated so let Allegheny buy it; Harrison Hills can buy it. Even if it is in our township they can buy it too and get Grants from Allegheny County. We have done enough. We spent more than enough money on the rails to trails.

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On motion of Matt Sweeny, seconded by Ron Zampogna, to apply for a TAP (Transportation Assistance Program) Grant for the Four Corners Trail Heal Project in Butler Junction. A roll call vote was taken. Motion Carried on a Roll Call Vote.

Roll Call Vote

John Haven	Yes	Ron Zampogna	Yes	Matt Sweeny	Yes
Albert Roenigk	Yes	Gary Risch	No		

NEW BUSINESS

APPROVAL FOR FREEPORT BASKETBALL 3RD ANNUAL HALLOWEEN HUSTLE ON BUTLER-FREEPORT TRAIL

John Haven read the letter from Kim Solis, Freeport Girls Basketball, requesting the use of the Butler-Freeport Trail.

On motion of Albert Roenigk, seconded by Matt Sweeny, to approve the request from Kim Solis, Freeport Girls Basketball, to use the Butler-Freeport Community Trail for the 3rd annual Halloween Hustle on October 14, 2017. Registration is at 7:30 a.m.; the Race will start at 9:00 a.m. Motion Carried. Un. Approval.

TRICK OR TREAT NIGHT SET

On motion of Matt Sweeny, seconded by Ron Zampogna, to set Tuesday, October 31, 2017, from 6 – 8 p.m. for Buffalo Township Trick or Treat Night. Residents wishing to participate should turn their porch lights on. Motion Carried. Un. Approval.

RESOLUTION #2017-7 – OAKS PLAN ROADS – ADOPTED WITH CONTINGENCY & FILING FEE WAIVED

Ken Howard stated we have been working with the Engineer and Contractors. They have made a formal request that we adopt the roads. There are still a few minor items that are outstanding. One is the bond that needs to be issued for 15 percent of the construction costs. The second is the as built needs to be amended to include the storm water work that they just completed. The next is that their Surveyor set the monuments that were shown on the original Subdivision Plan. The next is there is still a little bit of debris in one of the inlets that needs removed. The deed of dedication needs to be finalized. We have been working with their Attorney to finalize the wording. The last is any outstanding fees. The items on this list are minor things that need to be finished. John Haven asked do you understand these contingencies? Luke Parker answered yes. John Haven asked and on record you are willing to take care of this? Luke Parker answered yes. Atty. Lutz stated we would also like to see the HOA Agreement prepared and finalized. Luke Parker stated it has been in operation for a decade; it is fully functional. Atty. Lutz asked is the Agreement recorded? Luke Parker answered yes; it is fully funded. Atty. Lutz

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stated I don't have any problem adopting this contingent on the items that Ken Howard mentioned. You have to understand that we won't take this over until the deed has been recorded. Luke Parker stated we need a letter from the Board of Supervisors saying that this was approved for adoption. Atty. Lutz stated I will write the letter.

On motion of Matt Sweeny, seconded by Gary Risch, to adopt Resolution #2017-7 contingent on the comments from Ken Howard. Motion Carried. Un. Approval. Resolution #2017-7 follows these minutes.

On motion of Gary Risch, seconded by Matt Sweeny, to waive the road adoption fees. Motion Carried. Un. Approval

APPROVAL TO ADD WEBSITE AND MAINTENANCE AGREEMENT TO OUR CONTRACT WITH ASTS AND TO SET UP HEAVY-DUTY SECURITY SYSTEM

Jason Bodnar explained what needs to be done; we plan on opening our office in Buffalo Township on October 1.

On motion of Matt Sweeny, seconded by Albert Roenigk, to approve adding the website to the Township Contract and Maintenance Agreement with ASTS. Motion Carried. Un. Approval.

APPROVAL TO ADVERTISE FOR BIDS FROM CONTRACTORS TO SERVICE ALL TRAFFIC CONTROL SIGNALS IN TOWNSHIP

Janice Zubrin stated we currently have Bronder Technical Service. They are moving their business to construction. That will not be taking care of traffic signals. Atty. Lutz stated this has to be bid.

On motion of Ron Zampogna, seconded by Matt Sweeny, to approve advertising for bids from Contractors to service all of the traffic control signals in the township. Motion Carried. Un. Approval.

GRASS CUTTING AT FORMER EMS BUILDING ON EKASTOWN ROAD RETROACTIVELY APPROVED

On motion of Matt Sweeny, seconded by Ron Zampogna, to retroactively approve grass cutting at former EMS Building on Ekastown Road by GLS Lawn Care Service. Motion Carried. Un. Approval.

RHONDA SUE SWARTZ APPOINTED AS "RIGHT TO KNOW" OFFICER FOR BUFFALO TOWNSHIP

Janice Zubrin stated I am currently the Right to Know Officer. The majority of the requests that are coming in are for building.

On motion of Ron Zampogna, seconded by Albert Roenigk, to appoint Rhonda Sue Swartz as the Right to Know Officer for Buffalo Township. Motion Carried. Un. Approval.

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LAND DEVELOPMENT COORDINATOR PAY RAISE – APPROVED

On motion of Gary Risch, seconded by John Haven, to give Rhonda Sue Swartz, Land Development Coordinator, a 50 cent per hour raise. Motion Carried. Un. Approval.

ADVERTISING FOR VENDOR TO SHRED OBSOLETE DOCUMENTS - TABLED

Gary Risch stated I talked to Janice and Tim. We need to get bids for someone to come and shred the township's obsolete documents. We can also open it to the public. We could do it as a public service and not charge for it. Matt Sweeny asked about the cost? Gary Risch answered I don't know what it would cost. Matt Sweeny stated we need to do research and get pricing.

On motion of Matt Sweeny, seconded by Ron Zampogna, to table advertising for vendor to shred obsolete documents. Motion Carried. Un. Approval.

RESOLUTION #2017-6 – AUTHORITY TO SET UP DIRECT DEPOSIT WITH FIRST NATIONAL BANK – TABLED

Gary Risch stated a lot of employees would like to have direct deposit. We could save a lot of money with this. Janice Zubrin stated the bank would charge for this service. I would still have to print the checks. Matt Sweeny stated we can look into this. Janice Zubrin explained training would be necessary.

On motion of Matt Sweeny, seconded by Ron Zampogna, to table Resolution #2017-6, setting up direct deposit with First National Bank. Motion Carried. Un. Approval.

SETTING UP AMAZON PRIME ACCOUNT – TABLED

Gary Risch stated I brought this up. We could buy a lot of stuff cheaper. Albert Roenigk asked like what? Gary Risch answered anything. Janice Zubrin stated we would have to check into tax exemption. Gary Risch stated prime costs \$90 a year. Ron Zampogna stated there are pros and cons to it. We buy a substantial amount from the local hardware store and local suppliers. We should patronize locals.

On motion of Gary Risch, seconded by Ron Zampogna, to table setting up an Amazon Prime Account. Motion Carried. Un. Approval.

OPENING ACCOUNT AT FIRST NATIONAL BANK FOR USE WITH A DEBIT CARD – TABLED

Gary Risch stated I checked on opening an account at First National Bank for use with a debit card. We could open an account with \$2,000 in. We could use it when we need to buy something for the township. We won't need to have a check to get it. Janice Zubrin stated we have credit with a number of places. Ron Zampogna stated in my opinion there would need to be one designated person

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in charge of the debit card. This spells trouble to me. We need to have a lot of discussion on this. Gary Risch stated we would find out what was spent at the end of every month. Janice Zubrin stated the problem is I am the one who is bonded to open accounts.

On motion of Ron Zampogna, seconded by Albert Roenigk, to table opening an account at First National Bank for use with a debit card. Motion Carried. Un. Approval.

APPROVAL FOR TOWNSHIP EMPLOYEES TO ATTEND BCATO 35TH ANNUAL SAFETY SEMINAR

On motion of Ron Zampogna, seconded by Matt Sweeny, to approve the township employees attending the BCATO 35th Annual Safety Seminar on October 11, 2017, at a cost of \$10.00 per employee. Motion Carried. Un. Approval.

LOWER GARAGE – DISCUSSION

Gary Risch commented on how much was spent on cold patch. I don't remember us budgeting that money for cold patch. We could use the money in other places. John Haven stated it was an improvement in the roads. Gary Risch asked how much do we spend every year on the roads? They are doing the berms on Reimer Road. They have used all of our millings. Matt Sweeny stated we are making the road safe. Gary Risch stated the lower garage doesn't have a floor and isn't heated. The trucks are rusting. The building is leaning. It would be cheaper to build a new 5 bay pole building. I am waiting for prices from Ed Smith. We need electric and lights in the new building. The weeds need to be cleaned up. We need to fix our buildings instead of spending so much money on blacktop. We have truck beds that are rusting; we need to do something before they rust the whole way through. The Road Department will be putting in 100 or more poles for snow fence. I am concerned about somebody hurting their backs putting them in by hand. Just about every other township has drivers that put them in. I would like to consider getting a post driver for the guys to put the posts in. I would hate to see somebody hurt their back and us have a Workmen's Comp Claim. I will check to see if we can rent one at True Value; there are different types you can get.

LAND DEVELOPMENT

JAROSINSKI/CLARK LOT LINE REVISION – JAROSINSKI LANE AND FLEMING ROAD – APPROVED

Kevin P. Jarosinski and Jeffrey D. and Erica C. Clark are proposing a lot line revision on their properties located on Jarosinski Lane and Fleming Road. The properties are located in the "A-1" Agricultural District. The purpose of this Plan is to add Parcels A and B belonging to the Clarks to adjacent land of K. Jarosinski. No new building lots are being created. The Clark's Property will be a new total of 7.71 acres; Kevin Jarosinski's Property will be a new total of 17.95 acres.

The township office has received copies of the Plan, the Filing Fee, Butler County Planning Commission comments (BCPC did not have any comments on this Plan), Municipal Authority comments (MABT does not have public water or public sewer service in the vicinity of this Plan), Twp. Engineer

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comments (see fax dated 9/6/17), and Township Planning Commission comments (favorable recommendation contingent on making the changes in the drawings as per the Twp. Engineer's comments in fax dated 9/6/17 as per 9/6/17 meeting minutes). Ken Howard stated we can recommend approval as presented.

On motion of Matt Sweeny, seconded by Albert Roenigk, to approve the Jarosinski/Clark Lot Line Revision located on Jarosinski Lane and Fleming Road. Motion Carried. Un. Approval.

SWARTZLANDER/ZURISKO LOT LINE REVISION – DOYLE ROAD – APPROVED

Richard and Pearl Swartzlander and John and Susan Zurisko are proposing a Lot Line Revision on their properties located on Doyle Road. They are proposing to divide a vacant 1.10 acre parcel belonging to the Swartzlander's. John and Susan Zurisko's Lot #1 will be a new total of 2.812 acres. Richard and Pearl Swartzlander's Lot #2 will be a new total of 1.797 acres.

The township office has received a Copy of the Plan, Filing Fee, Butler County Planning Commission comments (BCPC did not have any comments on this Plan), Municipal Authority comments (MABT provides public water and sewer service to both of these properties), Township Engineer comments (received on 9/6/17), and Township Planning Commission comments (favorable recommendation on a Roll Call Vote as per 9/6/17 meeting minutes). Ken Howard stated we can recommend approval as presented.

On motion of Ron Zampogna, seconded by Albert Roenigk, to approve the Swartzlander/Zurisko Plan on Doyle Lot Line Revision on Doyle Road. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR

Michael Hart, Oak Drive, stated my property abuts the property at 114 Grimm Road. It is currently under renovation. There is an old cistern on the property. There is a sink hole on my property. Roger Kelly, Zoning Officer, I was there today and explained what was going on. Michael Hart stated it flows into my front yard. Ken Howard stated we need to look at it and see what is going on. John Haven suggested getting a dye test.

James Staricek, Painter Avenue, stated we previously had an issue with an abandoned house. The owner is keeping it up. Last year we tarred and chipped our part of Painter Avenue. We want to tar and chip Elm. We will put in a couple of catch basins. What would we need to proceed? Ken Howard answered apply for a Grading Permit. John Haven stated Engineer Fees will be involved. James Staricek asked what would it take for the township to take over the roads? Ken Howard answered we can give you the paving specs. You will have to formally submit the Grading Permit.

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ADJOURNMENT was on motion of Gary Risch, seconded by Matt Sweeny, at 9:15 p.m. Motion Carried.
Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY