

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – NOVEMBER 10, 2021

AND

PRESENTATION OF THE 2022 BUFFALO TOWNSHIP BUDGET OF ALL FUNDS

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors and Presentation of the 2022 Buffalo Township Budget of All Funds was held Wednesday, November 10, 2021 and convened at 7:30 pm. The Meeting was called to order by 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
Matthew J. Sweeny	Present
Albert T. Roenigk	Present
Gary L. Risch, Sr.	Present
Michael Oehling, Jr.	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 in the Township Municipal Building regarding personnel matters on Thurs. Nov. 4.
- b) Matt Sweeny, Gary Risch and Michael Oehling met in the Township Municipal Building regarding personnel matters on Tues. Nov. 9.
- c) The Board of Supervisors met with their Solicitor for an Executive Session regarding personnel matters on Wed. Nov. 10.

APPROVAL OF THE MINUTES of the October 13, 2021, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Michael Oehling. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER'S REPORT for October 1-31, 2021 inclusive for audit, was on motion of Michael Oehling, seconded by Matt Sweeny. Motion Carried. Un. Approval.

MONTHLY BILLS

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

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DISCUSSION REGARDING POSITION OF TOWNSHIP SOLICITOR

Ron Zampogna stated that Atty. Brian Farrington has left the Lutz Pawk & Black Law Firm and has joined the firm of Charlton Law. So, we need to decide if we want to terminate the services of Lutz Pawk & Black as our Township Solicitor, retain Charlton Law for the remainder of the year or start the process over and look for a new Attorney.

On a motion by Matt Sweeny, seconded by Gary Risch to terminate the services of Lutz Pawk & Black Law Firm. Motion Carried. Un. Approval.

On a motion of Michael Oehling, seconded by Matt Sweeny appoint and retain the services of Atty. Brian Farrington of Charlton Law as Township Solicitor through the remainder of the 2021 calendar year. Motion Carried. Un. Approval.

PROPOSED 2022 BUDGET OF ALL FUNDS

Ron Zampogna stated we had a budget workshop on October 10, 2021 here at the Township Municipal Building. The proposed 2022 Buffalo Township Budget of All Funds has been prepared and will be posted tomorrow on the bulletin board at the Municipal Building Lobby and will remain posted for 20 days. Township residents are invited and encouraged to review the proposed budget and to submit written and/oral questions and comments to the Supervisors, regarding the proposed 2022 line-item allocations. Budget Hearing/Adoption will be part of the December 8, 2021 Regular Monthly Meeting. As I stated, the 2022 budget will be posted tomorrow in the Hallway on the bulletin board for the next 20 days. Does anyone have any questions regarding the Budget? Evelyn Callander, 122 Crescent Hill Drive asked where it will be posted. Ron replied in the Hallway on the bulletin board.

REPORTS

(1) THE ELECTED TAX COLLECTOR'S REPORT (ROBYN FLEISHMAN):

- **OCTOBER 2021:** Twp. Real Estate Tax is \$527.16, Per Capita @ Penalty is \$143.00, Tax Duplicate is \$50.00

(2) THE APPOINTED TAX COLLECTOR'S REPORT (BERKHEIMER):

- **OCTOBER 2021:** Earned Income Tax is \$34,407.25, Local Services Tax is \$4,285.71

(3) THE APPOINTED TAX COLLECTOR'S REPORT (SHARPS):

- **OCTOBER 2021:** Twp. share: \$107.50

(4) WEEKLY STAMP SALES (DEED TRANSFER'S):

- **OCTOBER 2021:** \$24,909.98

(5) ZONING OFFICER'S REPORT (RICK HEALEY):

- **OCTOBER 2021:** 37 Permits Issued, 16 Single Family Residences, 2 Residential Garages, 2 Porch/Decks/Roof, 0 Storage Buildings, 0 Commercial Building, 16 Grading Permits, 0 Pools, 0 Sign, 1 Demolition, Building Permit Fee: \$15,376.47, Mileage: 100, Grading Permit Fee: \$1,345.00, Lot Development Fund: \$0.00

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(6) THE DISTRICT JUSTICE’S REPORT:

- **OCTOBER 2021** Ordinance & Statute Violations \$21.79, Code Violations \$344.46

(7) BUFFALO TWP. POLICE REPORT

- **OCTOBER 2021:** Total calls 158

OLD BUSINESS

ADOPTION OF RESOLUTION #2021-11 REGARDING POLICE EARLY RETIREMENT BENEFIT

Atty. Farrington explained about the Police Early Retirement Benefit.

On a motion of Gary Risch, seconded by Matt Sweeny to adopt Resolution #2021-11 Police Early Retirement Benefit. Motion Carried. Un. Approval.

NEW BUSINESS

ADDITION: Addition of New Business #6: Motion to advertise for Liquor License at 698 Ekastown Road

On a motion of Matt Sweeny, seconded by Gary Risch to add advertising for Liquor License at 698 Ekastown Road to the Agenda. Motion Carried. Un. Approval.

ADDITION: Addition of New Business #7: Motion to add Butler-Freeport Community Trail being nominated for Trail of the year.

On a motion of Michael Oehling, seconded by Albert Roenigk to add the nomination of Butler-Freeport Community Trail’s nomination to the Agenda. Motion Carried. Un. Approval.

MOTION TO TRADE IN 2017 FORD POLICE INTERCEPTOR FOR \$9,000.00 AND PURCHASE A 2021 FORD POLICE INTERCEPTOR FROM LAUREL AUTO GROUP FOR THE TOTAL COST INCLUDING ALL EQUIPMENT FOR \$40,601.00

Chief Derringer stated that the Truck that was approved last year ended up getting cancelled. I was notified by the Ford Dealer so; we need to purchase a police car to cover that one. The 2017 is the oldest in the fleet. We can get \$9,000.00 for it on trade in. Matt Sweeny asked the mileage on the 2017. Chief Derringer replied it has between 125,000 to 130,000 miles on it. Ron stated that we work at keeping our police cars as well as equipment upgraded. Chief Derringer stated that through Laurel Auto Group we can get a 2021 Police Interceptor for the total cost including all equipment for \$40,601.00.

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On a motion of Matt Sweeny, seconded by Gary Risch to approve the trade in of the 2017 Ford Police Interceptor for \$9,000.00 and purchase a 2021 Ford Police Interceptor from Laurel Auto Group for the total cost of \$40,601.00. Motion Carried. Un. Approval.

MOTION TO ACCEPT CONTRACT WITH HOFFMAN’S BOARDING KENNELS AS THE NEW TOWNSHIP DOG OFFICER

Ron Zampogna stated that our Dog Officer we have had for over 25 years has resigned. Chief Derringer did some research and found that most of the Townships in the area use Hoffman’s Boarding Kennel’s. Hoffman’s comes highly recommended by many Municipalities. They have a retainer fee of \$150.00 to the Township and then the rest of the fees are charged directly to the animal’s owner.

On a motion of Gary Risch, seconded by Michael Oehling to approve Hoffman’s Boarding Kennels as the new township Dog Officer through the remainder of 2021. Motion Carried. Un. Approval.

DISCUSSION REGARDING TREES ALONG CREEKSIDE DRIVE AND SARVER’S MILL DRIVE BY BOB FLETCHER, ROAD MASTER

Bob Fletcher, Township Road Master stated that the 1st Phase Sarver’s Mill Trees are in the Township right of way and recommended that they be cut down. I met with the President of the HOA tonight, Rick Wolfe. The trees are too close to the road, in the township right of way and when we take our trucks through to plow our mirrors keep getting broken and these mirrors cost \$1,000.00 each. We can’t get close enough to the curb to plow. That’s a lot of money to be putting out each time we go through their plan and we need to have these mirrors on the trucks. Bob recommended that the trees be cut down and not just trimmed off on the one side because that will not look very appealing. We do not own the sidewalks and the trees are heaving the sidewalks. In phase 1 they were planted 30 feet from the center of the road. Ron replied I don’t think that the Sarver’s Mills people would like us cutting down all their trees and asked Atty. Farrington his thoughts on this? Atty. Farrington replied that he would like to take a day to look at the plan and see where the right of way ends to determine if we are even able to. Preferably with an eye towards the home owners so they understand what is going to happen here. We need to see what our options are. I will look at this and get back to the Township to see what action we can take. Matt Sweeny asked if Bob has spoken with any of the members of the HOA and he replied that he has spoken with Rick Wolf. Matt stated that we work with the HOA. Ray Smith, HOA Committee member asked if the stumps would be ground down after the trees are cut down? Bob replied you could get a stump grinder. There is a sidewalk issue in these plans. Matt stated and now that we have adopted the roads. Ken stated that the first phase they are in the 50 foot right of way. We made them put the trees behind the side walk in the new phases. I recommend you talk with the HOA to help make these decisions. Atty. Farrington stated that he will check into this matter to see

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if the roads and sidewalks were adopted or just the roads and asked Rick Wolf, HOA President what his phone number was so that he could contact him. Rick Wolf shared his number.

MS4 – MUNICIPAL SEPARATE STORM SEWER SYSTEM – DISCUSSION, PUBLIC EDUCATION AND SOLICITATION OF PARTICIPATION BY BANKSON ENGINEERS

Ken Howard with Bankson Engineers stated that tonight we have multiple handouts and want to give an update of where we are at with the MS4 Program. We are asking everyone in attendance to sign in on an attendance sheet and we have prepared comment forms so if any residents would like to submit written comment or volunteer to participate in our MS4 Program there are forms in the back of the meeting room if you are interested in helping us. We are also asking that if anyone observes an illicit discharge of some contaminates that they would report that as under the obligations of our MS4 Program. The information from this evenings discussion will be available at the Township Office in the Meeting Room for review and is also on the homepage of the Township website at www.buffalotownship.com for review as well.

DCNR GRANT PROJECT FOR THE BUTLER-FREEPORT COMMUNITY TRAIL: RECEIVED QUALIFICATIONS STATEMENTS FOR THREE (3) AREA ENGINEERING FIRMS AND APPOINTMENT OF ONE FIRM TO WORK WITH DCNR ON BUFFALO TOWNSHIP’S BEHALF TO COMPLETE THE TRAIL PROJECT

Ron stated that we received qualifications from 3 Engineering Firms. Bankson Engineers, KU Resources/Robert F. Mitall, Engineering Division and Alpha Engineering. We need to choose 1 of these firms to work with the DCNR on Buffalo Township’s behalf to complete the Trail Project.

On a motion of Gary Risch, seconded by Matt Sweeny to approve the appointment of Bankson Engineers to work with the DCNR on Buffalo Township’s behalf to complete the Trail Project. Motion Carried. Un. Approval.

MOTION TO ADVERTISE FOR LIQUOR LICENSE AT 698 EKASTOWN ROAD

On a motion of Matt Sweeny, seconded by Gary Risch to advertise for Liquor License at 698 Ekastown Road, Sarver, PA. Motion Carried. Un. Approval.

BUTLER-FREEPORT COMMUNITY TRAIL NOMINATED FOR TRAIL OF THE YEAR

Ron stated that the Butler-Freeport Community Trail has been nominated for “Trail of the Year”. Chris Zeigler, President of the Trail Council stated that we are in the running. We just need the Township to submit a letter of support to the DCNR.

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On a motion of Michael Oehling, seconded by Albert Roenigk to have the Township submit a letter of support to the DCNR. Motion Carried. Un. Approval.

LAND DEVELOPMENT – There were no Land Development items.

REMARKS FROM THE FLOOR

Chris Zeigler, President of the Butler-Freeport Community Trail Council gave an update regarding the trail. We held the 16th Annual Buffalo Creek Marathon. There were 750 in per registration and 45 virtual runners. Everyone finished safely. We had our open Caboose for Halloween and handed out the new brochures. We sold our new T-shirts and hoodies. We will be decorating the Caboose for Christmas and it will be open again. It has been a busy year on the trail, volunteers, and trail users. We in conjunction with the Buffalo Township Road Crew ripped the stream for erosion. Chris thanked Bob and the Road Crew for all of their help.

Grant McConnell, Chairman of the Buffalo Township Planning Commission stated that there was no Land Development this month.

Bob Fletcher, Road Master gave an update regarding the Township Road Dept. stated that they have been busy getting ready for winter, taking care of trees and they received the spare tire for the new truck and the truck but have not received the plow. We have a new supplier for our salt but we

Evelyn Callander, 122 Crescent Hill Drive thanked everyone, namely the residents that helped her regarding the water and asked about the township pursuing the grant. Ron Z. spoke and stated that the Township does not issue grants and this is really a Water Authority issue. The Municipal Authority said that the Township needs to give them \$170,000.00? Ron stated that it is ignorant and irresponsible on their part. They have income coming in and have extremely large projects they are working on and that are coming up. They need to apply to PennVest for the Grant, that is their responsibility. Ron stated that he is confused why the Authority sent them back to us? Mrs. Panza spoke and said they are willing to pay but can only pay a certain amount and so they suggested we come back to the Board of Supervisors and appeal to them. Ron asked how much is it to tap in? It will be \$2400.00 per household and there are 82 families interested in this so, \$2400.00 times 82 families is almost \$200,000.00 which gets you over the \$170,000.00's that the Authority is wanting from the Township. Mrs. Panza stated that they will not invest in this project until they have the \$170,000.00. Deborah, Crescent Hill Drive stated that the Municipal Authority doesn't want to do it and that she is understanding what Ron is talking about that they have the money but are putting it toward other projects. Matt Sweeny suggested asking PennEnergy. An unnamed person spoke and said that PennEnergy sent them back to the Board of Supervisors stating that the Township gets monies through Act 13 already. Kim Dombroski, 111 Crescent Hill Drive asked so, the Water Authority has to apply for the Grant with PennVest. Ron

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stated yes. Ron said about possibly going to the County about the monies. We will explore more into this but cannot justify \$170,000.00 when the Municipal Authority has never needed money from the Township in the past but we will possibly help in some way and suggested that they go back to the Municipal Authority's next meeting and come back in December.

Tom Waynor of 603 Shook Drive asked about the Nussbaumer Plumbing issue. September 29th was the ruling date and they were given a 30-day grace period which expired the end of October and it is now November. What is being done? Who enforces this? Atty. Farrington replied it is typically resident complaints and stated that he will talk with Rick Healey regarding this. The Ordinance permits only 1 truck and by law they only have 30 days. We will get a plan of action moving forward immediately.

Rick Wolf, 179 Creekside Drive asked since the Township adopted the roads in Sarver's Mill and we are getting street signs and paying for them for the alleys, will these alleys get plowed by the road department? Atty. Farrington stated it is not legally the Township's obligation to plow these. Albert Roenigk stated that they are not up to the Township specs. They are private alleys and the right of way is not big enough to fit the plow truck through.

Cindy Michelini, 227 Edgewood Drive asked if the Township has a Noise Ordinance? She stated that she sent an email to all of the Supervisors. All of the Board members stated they received it. Cindy asked what can be done regarding this if the police cannot enforce it? Ron stated that they will take this into consideration and revisit it when they are working on updating some of the Ordinances. Ray Smith, 100 Overlook Court asked if they could look at the jake breaking along route 356 as well?

Judy Jackson, 150 Parker Road asked why the flag is not in the front of the meeting room and suggested it be moved.

ADJOURNMENT was on a motion of Gary Risch, seconded Matt Sweeny by at 9:15 pm. Motion carried.
Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY