

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, May 9, 2018, in the Buffalo Township Municipal Building and convened at 7:35 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 Bldg.
- (b) John Zurisko attended the Planning Commission Meeting June 6.
- (c) Ron Zampogna, Gary Risch, Albert Roenigk, John Zurisko, Ken Howard and Janice Zubrin met with members of Weaver Homes regarding the Bozzone Property in the Township Municipal Building June 7.
- (d) Ron Zampogna, Albert Roenigk, John Zurisko and Ken Howard met at Parker Road and Coe Street regarding a water issue June 7.

APPROVAL OF THE MINUTES of the May 23, 2018, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by John Zurisko. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for May 1-31, 2018, inclusive for audit, was on motion of John Zurisko, seconded by Gary Risch. 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 – JUNE 13, 2018

REPORTS

(1) THE ELECTED TAX COLLECTOR'S REPORT (CARLA GARIA):

- **April 2018:** Twp. Real Estate Tax is \$145,333.30, Per Capita @ Discount is \$19,904.30
- **May 2018:** Twp. Real Estate Tax is \$34,464.29, Per Capita @ Discount is \$4,910.00, Per Capita @ Penalty is \$33.00

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

- **April 2018:** Earned Income Tax is \$56,638.76, Local Services Tax is \$8,155.58
- **May 2018:** Earned Income Tax is \$147,679.12, Local Services Tax is \$23,496.08

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

- **April 2018:** Twp. Share is \$290.00
- **May 2018:** Twp. Share is \$201.25

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

- **April 2018:** \$14,187.53
- **May 2018:** \$12,143.65

(5) ZONING OFFICER'S REPORT (ROGER KELLY):

- **May 2018:** 17 Permits Issued, 5 Single Family Residences, 3 Storage Buildings, 4 Porch/Deck/Roof, and 5 Grading Permits.
Building Permit Fee: \$5,284.85, Mileage: 198, Grading Permit Fee: \$320.00, Lot Development Fund: \$3,096.39

(6) THE DISTRICT JUSTICE'S REPORT:

- **April 2018:** Ordinance & Statute Violations \$329.26, Vehicle Code Violations \$536.51
- **May 2018:** Ordinance & Statute Violations \$490.19, Vehicle Code Violations \$466.82

(7) BUFFALO TWP. POLICE REPORT

- **MAY 2018:** Total calls 176

(8) BUFFALO TWP. VFC, CHIEF'S REPORT – JANUARY-MAY 2018

- **JANUARY-MAY 2018:** 156 Total calls, 91 Fire related, 65 Medicals, 95 hrs. 15 mins. Total Company Hours, 936 hrs. 35 mins. Total Staff Hours, \$300,000.00 Fire Damage to date

(9) SARVER VFC, CHIEF'S REPORT

- **JANUARY-MAY 2018:** 243 Total calls, 74 Fire related, 169 Medicals, \$0.00 Fire Damage to date

OLD BUSINESS

HORSES ON THE BUTLER-FREEPORT COMMUNITY TRAIL – DISCUSSION

Ron Zampogna stated that since the last meeting when we had the horse enthusiasts here we have had discussions with the board and the Trail Council. It is the opinion of the board that the horse can utilize the trail. We are working on an idea of when and where. We would like to designate some areas for the horses to utilize the areas and maybe times as well. With respect to the opinion of the horse enthusiasts that we have heard from. With regarding that comment, we would appreciate that the users of the trail, the horse users would respect the trail as you said you would and would clean up after your animal if necessary. If that would be the case then, I feel everything should flow in a good manner. If there would be complaints, the Township, Police, Trail Council and Supervisors would have to deal with then we will have to revisit this decision and act accordingly. Currently, we are working with the

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

Trail Council. Chris Zeigler stated in the grass. Matt Sweeny stated in designated areas and designated spots. Angie Kline, 763 Winfield Road, Cabot, PA 16023. First off, I want to say we do want to stay on the grass, I am not trying to complain believe me, but the grass is kind of high there. Also, how will we know when it gets passed? We want to follow the rules as far as the times and things like that. So, how will we know when you designate the times and areas that horses will be permitted in? Ron Zampogna stated that we hope to have this decided in the next few weeks. I think that would be a fair time frame. Maybe someone at the meeting could make it noted whenever that has been taken care of. Matt Sweeny stated there will be proper signage showing where the designated areas will be. Angie Kline stated that she doesn't want to get into trouble if she would be in the wrong area at the wrong time. Ron Zampogna stated that signs will be posted and highly visible and we just ask that you respect them. Atty. Lutz stated that we are looking for volunteers to cut grass. Angie Kline stated sounds good, I might be able to get my husband to help with that. Chris Zeigler, President of the Butler-Freeport Trail Council stated that she will put it on our website and Facebook. Ron Zampogna stated we will work together on that.

NEW BUSINESS

ORDINANCE #132 – VOLUNTEER SERVICE CREDIT – APPROVED

Ron Zampogna stated motion to approve Ordinance #132, the Volunteer Service Credit. Atty. Lutz stated the motion would be if you like as a board, the motion would be to approve the purposed Ordinance #132 as drafted, only additions would be the October 15th date that I discussed in the Public Hearing that I added to it and the maximum income tax credit would be \$400.00. Other than that, it would be exactly as drafted and presented to you and its Ordinance #132. Gary Risch stated he will make that motion. Atty. Lutz stated before you make that motion, there were no public comments in the Public Hearing portion, is there any public comments with regard to our purposed Ordinance? There being none, you can go ahead and make that motion.

On motion of Gary Risch, seconded by Matt, to approve Ordinance #132, Volunteer Service Credit. Motion Carried. Un. Approval.

Atty. Lutz stated a word to the Board with regard to that. Your work is not done with passing this. You need to get together with the heads of the Fire Departments and EMS to get procedures in place. I will get some procedures from other townships that they have put in place, so you have some things to compare so you make sure you are getting active members. Matt Sweeny stated that I will spear head that.

EVANGEL HEIGHTS CHRISTIAN ACADEMY'S REQUEST TO USE BUTLER-FREEPORT COMMUNITY TRAIL FOR THEIR 6TH ANNUAL EHCA EAGLE 5K RACE ON SATURDAY, SEPTEMBER 8, 2018 – APPROVED WITH CONTINGENCY

Ron Zampogna asked Chris Zeigler if this date will work and she stated yes, it's on the calendar. Ron asked if there was anyone here from Evangel Heights? Anna Rhoden stated yes, we're excited to have this event again this year. Renee Alchier with the Audubon Society of Western PA stated the date works for them also.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

On motion of Matt Sweeny, seconded by Albert Roenigk, to approve EHCA use of the trail for the annual Eagle 5K Race contingent upon signing the Indemnification Waiver and providing proof of insurance to the Township. Motion Carried. Un. Approval

MOTION TO APPROVE ADVERTISING FOR ZONING OFFICER - APPROVED

Ron Zampogna stated that we talked a couple months ago in regard to Mr. Kelly retiring from his position as the Zoning Officer. Which is way too soon. Matt Sweeny stated in our eyes. So, we will be looking for a replacement and will need to start the process with advertising for a new Zoning Officer as soon as possible. This will give Roger time to work with the new Zoning Officer prior to the end of November 2018.

On motion of John Zurisko, seconded by Albert Roenigk, to approve Advertising for new Zoning Officer. Motion Carried. Un. Approval

DISCUSSION/POSSIBLE MOTION TO PURCHASE/LEASE A NEW COPIER - APPROVED

Ron Zampogna stated that Janice brought to our attention that the copier has run it last days. We need to explore if we should purchase or lease a new copier. Matt did some homework on this. Matt Sweeny stated that he and Jason Bodar with ASTS have been emailing back and fourth regarding this. Matt stated that Jason feels that leasing would be the best option due to if something needs fixed then you are under contract, if something needs updated or replaced. This seems like the best route to go. It would be \$165.00 to Lease a new Copier and \$140.00 to Lease a refurbished Copier. I feel that the refurbished one would suit us just fine for the amount of use that it would get. Rhonda Swartz stated as long as it has all the features that we need to suit our purposes such as scanning and etc.... Atty. Lutz asked how long of a term are we looking at for leasing because if it gets us over the threshold for the total we may have to get 3 quotes. Janice Zubrin stated one paper said it would be for 60 months, so what ever we would have to do to keep it under. Atty. Lutz stated we need to do some calculating to keep it under \$10,700 so we don't have to get 3 quotes. Ron stated 60 X \$140.00 is \$8,400.00. Atty. Lutz said then we are good to go.

On motion of Albert Roenigk, seconded by Matt Sweeny, to approve Leasing of a refurbished copier as long as it is capable of doing everything that ladies need at \$140.00 per month. Motion Carried. Un. Approval

MOTION TO ADVERTISE & SET DATE FOR PUBLIC HEARING OF UPDATED ORDINANCES – APPROVED

Ron Zampogna asked Atty. Lutz to discuss this. Atty. Lutz stated that we have the Floodplain Ordinance. Ken Howard stated and also the Stormwater Ordinance. Atty. Lutz stated that we need to have two separate hearings for each Ordinance. We would have to make them 15 minutes apart. One at 7:00 pm and one at 7:15 pm. Ron stated that this would be prior to the July 11th Regular Monthly Meeting. Atty. Lutz stated we could have the Floodplain Public Hearing at 7:00 pm and then the Stormwater Public Hearing at 7:15 pm. We will need to advertise for these meetings. They can both be advertised on the same add. Ray Smetana asked if they will be doing the Zoning Ordinances on that date? Atty. Lutz stated no. There are several things regarding the Zoning that Rick Grossman is going to get back to us on. We were trying to do one add for the whole thing and save some money, but we will do these two

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

now and then do the Zoning at a later date. Gary Risch asked Atty. Lutz about the Gas and the Oil? Atty. Lutz stated that he has spoke to Ray about this and a bunch of things that Rick Grossman is sharpening up, retooling and cleaning up. So, we don't want to be too hasty.

On motion of Matt Sweeny, seconded by John Zurisko, to approve advertising and setting date for Public Hearing on July 11, 2018 at 7:00 pm for the Floodplain Ordinance. Motion Carried. Un. Approval

On motion of John Zurisko, seconded by Albert Roenigk, to approve advertising and setting date for Public Hearing on July 11, 2018 at 7:15 pm for the Stormwater Ordinance. Motion Carried. Un. Approval

LAND DEVELOPMENT

B. VENENDAAL PLAN – LOT LINE REVISIONS – WESTON LANE

B. Venendaal is proposing a lot line revision to revise tax parcel numbers 040-1F92-A12AA shown as amended in revised Lot 1, and 040-1F92-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 and 7 copies of the revised plan submitted 6/5/18, Municipal Authority comment letter received 5/24/18; (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 6/6/18; (Upon cursory review of the subject Subdivision Plan we offer the following comments: Sarver Run traverses through both lots in the subject plan. Please provide a drainage easement, in accordance with Section 701 of the Stormwater Management Ordinance. It appears that the driveway access to Revised Lot 2 is through Revised Lot 1. Please provide easement. Please show Monuments and markers on plan, in accordance with Article 402 of Subdivision and Land Development Ordinance). Bankson Engineers comment letter received 6/13/18 states that it appears that revised plan has satisfied all comments.

Ken Howard stated we had a few items on the list that needed addressed at last weeks Planning Commission Meeting. We have received a revised plan today and they have addressed all of our concerns, so we would recommend approval as presented today. The plan is on the table in front of you.

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

BUTLER-FREEPORT TRAIL COUNCIL UPDATE

Chris Zeigler, President of the Butler-Freeport Trail Council gave an update on the trail. We installed a Fix It Station in Sarver. We're ordering a vending machine for Sarver which the Buffalo Township VFC will maintain and keep the proceeds from whatever will be sold in there. It will hold beverages, snacks, patch kits, bike tubes and things like that. Before I came here, we reported a Port o John stolen. There are 2 cameras that shine up from the Fire Department and Matt said that he would take a look at them.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

They last saw it Monday, so it must have happened Monday night. A police report was filed for insurance purposes.

PARKS & RECREATION COMMITTEE UPDATE

Terry Tague, President of the PRC Committee gave an update of events. We conducted a race with the Freeport Cross Country Boosters on June 2nd, 2018. They did a really good job. They had 159 runners and they executed the race very well with help from the Township Police to make sure cars weren't zooming by. We had help from Sarver VFC in spite of the fact that they had Fire School that weekend. Unfortunately, Buffalo Twp. VFC couldn't make it at that time but we did have support from Sarver VFC. We pulled that off, those folks with the Cross-Country team did a great job.

The Girls Scouts had a 3-day Twilight Camp on Tuesday, Wednesday, and Thursday. They are using the property even though it is not in good shape. People are still having a good time there. Matt Sweeny stated that is soon to change.

REMARKS FROM THE FLOOR

Christina Myers, 2219 Garden Way, Freeport stated that at the last meeting it was mentioned that we need more discussion regarding the zoning ordinances and I understand Mr. Grossman is working on a new draft. I was wondering if there will be a specific meeting to discuss the changes at. Atty. Lutz stated that we are required to have a Public Hearing. The Public Hearing will be advertised, and I am sure you will check the website and be here. We are not ready at this time to advertise for a Public Hearing regarding the Zoning Ordinance changes. Nothing I am aware of, particularly in regard to chickens. We are taking a look at a few things. Christina asked how does it work then, you come into the hearing with the set of Ordinances already drawn, so how would the discussion help if it is held at the Public Hearing and not prior to it? Atty. Lutz stated we are required by law to have a Public Hearing, and that is the opportunity that everyone has officially to come in and the Supervisors can pass it as presented if it's not a major change they can tweak things a little bit in response to the Public Hearing if it's something major that comes up that they want to exempt from what they are going to pass and address that later, they can do that. So, they have a lot of discretion as to what to do, but the idea is they want to have it all in order to be passed then and that's why we have gone through this process and the Planning Commission's input and input from people like yourself to get to where we are. We just have a lot of things in it besides your particular issue and we are trying to tweak it as best we can to reflect all the comments that we have had with the different meeting and we are just trying to get all of that incorporated. Christina Myers asked if it was inappropriate for us to hold discussion now if there are people who want to speak? Atty. Lutz stated this is a public meeting and everyone is entitled to speak. I would suggest that it may be better during the hearing process, but I can't stop you from speaking if you would like to speak.

Christine Myers stated that her concern is I would like to address a few things. Since the last meeting I have been thinking about things I needed to bring to your attention about the areas long tradition of self-reliance and how small-scale agriculture ties into this tradition. But my passion for this subject apparently knows no bounds and I've found that this is a subject matter about which I could go on and on. For the most part, you all seem to agree with a lot of the same things that I do, and it is not worth

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

debating the things that we all agree on. As I understand it, most members of the Board have stated they are in favor of keeping the rural feel to the area and not over developing. In all of the meetings that I have attended in the past 16 months, the residents that have spoken up have also been in support of preserving that rural tradition. Have you heard arguments from residents specifically saying that you should be working to suppress small scale agriculture? If not, why is the board pushing against opening agricultural opportunities for residents in zoned R-1 and R-2?

At one meeting, it was mentioned that chicken keeping is a “fad” that won’t last and that doesn’t deserve serious consideration. I would argue that backyard chickens have been a thing since people had backyards. This is a practice that has been in place for roughly 10,000 years and it’s not stopping anytime soon. If anything, the “fad” is our over reliance on just a handful of large scale corporation to provide our food. Only 10 companies produce 90% of our food. In only a few generations, we have lost our connection to the source of our very sustenance. It is not small coincidence that this newest generation of children is also the first in two centuries of record-keeping to face a shorter life expectancy than their parents. In this case, our best way forward is to take a step back.

A second argument that was brought up, multiple times, was that we need to consider the person who wants to build a \$250,000.00 house but doesn’t want to live next to chickens. I found a handful of things wrong with that statement and would like to address them. I’ll pose a counter-question. What about the family that wants to build a \$250,00.00 house and wants to keep chickens? A \$250,00.00 house doesn’t buy 4 acres of property often times around here. I am wondering why we are not trying to actively attract the kind of residents who are going to maintain the field that we are trying to keep in this area? Don’t we already have an answer to that question? In that planned communities in the area can create their own regulations so a person who did not want to worry about chickens next door could move into a planned residential community that has an HOA that does cover agriculture as well and restricts the ability to have a few chickens, bees, goats or other things they are concerned about?

And last, I ask who the Board is representing? Are you more concerned about the needs of the well to do hypothetical future resident or are you working for the families that have been living, working, supporting, voting, and paying taxes in this community for years, decades, or even generations in some cases? My husband and I both hail here from Buffalo Township. We have made a conscience decision to keep roots here to raise our family here and we are asking you to represent us, not the hypothetical new person.

Another argument that I would like to bring up is that it was brought up that Zoning Ordinances are easier to defend when taking residents to court than Nuisance Ordinances might be. Isn’t the difference between regulating agriculture through Nuisance Ordinance, rather than Zoning Ordinances the required application of common sense. So that, rather than ask the question, “Is this actually causing a quality of life issue for the neighbors?”, you can simply ask, “Have they exceeded the number of chickens that we have deemed acceptable?” It’s an admittedly easier question to answer, but at what cost to the basic rights of residents? What is easier for the township isn’t always fair to the residents.

The easiest way to run any government, whether federal, state, or local, is to impose rigid regulations and strip the rights of citizens so that more and more behavior can be deemed unacceptable and illegal.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

There is a precedent in this country to err on the side of personal freedoms over superfluous regulations. It's right there in the first lines of our constitution, life, liberty, and the pursuit of happiness. These basic human rights should not be impeded unless there is clear evidence that they hurt another's basic rights.

I am going to draw a comparison. Obviously, chickens are not guns and they aren't even in the same league, but even though guns are regularly used to negatively impact lives, we have consistently erred on the side of freedom over regulation. So, I am asking why small-scale agriculture which is far safer in comparison is not being granted the same consideration?

I understand that this isn't the national stage and the debate may sound overly dramatic for this setting, but I can't imagine that any of you would be sitting here if you did not believe in the importance of local government. We tend to ignore the smaller-scale work being done by public servants in the local realm when it's so easy to get caught up on the larger-scale workings of federal government, but that's not the way that our government was originally intended to run.

You have a chance here to display what local government can and should be doing. Providing education and access to information that promotes the best way of life for all that live under your jurisdiction. You can focus on rewarding those activities that benefit the community as a whole, rather than on punishing community members for breaking an arbitrary set of rules.

The Buffalo Township Board of Supervisors asked the Planning Commission to draft a set of ordinance changes that would bring this township current with the times. The work was completed over a year's worth of monthly workshops with input from planning consultant Rick Grossman and the people of Buffalo Township. As a community member who was present at the workshops, I assure you that no changes were made to the ordinances without 100% complete regard for the wellbeing of the citizens of this township. And the fact that it was so callously tossed aside at that last meeting with hardly a rational argument against it, I found it to be unconscionable, and frankly a great disrespect to the people on the Planning Commission Board. I am asking once again that you reconsider acceptance of the draft ordinances it was originally submitted to you by the Planning Commission. I hope that there are others that will speak out too.

Thomas Arlott, 608 Parker Road stated that you can actually see here on this piece of paper that you Ron and some other folks came over to Parker Road and Coe Street regarding the water issue. I am here to talk about that. I would like to hear what you guys might have come up with. Ron Zampogna stated so just to update Larry and Ken. Mr. Arlott called me a couple weeks ago after a bad rain he was getting water coming off of Coe Street across Parker Road. Ultimately at the end of the day into his basement. Mr. Arlott stated that this has literally been going on for 20 years since I moved in there. Sometimes the landscape changes and the water runs a different way. I put a pool in 3 years ago and within three weeks and water washed down from Coe Street and washed all the sand out from under my pool and I My driveway looking like a river and my basement flooding in water about a foot deep. There is a 4" pipe at the bottom of my driveway where my basement door is at that is whole drainage basin for the Coe Street and that whole area up there. All that water runs down there. I have more than adequate sewage for my land and then some, but I can't continue to drain all that water from that hill into my

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

drainage pipe at the end of my driveway. Ron Zampogna stated, so a few of us were able to come down and look at that area. Fortunately, Mr. Ken Howard with Bankson Engineers was with us. Ken Howard stated we did look at the situation and I think a couple of things could help with that. There could be some grading done on the sides of Coe Street. That would probably be a great help. We did look at different alternatives possibly inlets, drain pipes or ditching along Parker Road that could potentially help as well. So, I think a decision was made formally as to what the course of action could be there are some potential options could be to help with Mr. Arlotts yard. I would recommend that we talk with the home owners on Coe Street to see if we could encourage some ditching on that portion of the hillside, so the water can be controlled in the ditch lines that come out on both sides of Coe Street and on the opposite side of Parker Road from your property and try that as a first course of action. Mr. Arlott stated that I think you would have to something with the surface of it as well because even if you put drains down the sides of Coe Street the water just channels right down the middle because it is just dirt and rock. It's a big groove and they don't care they just all drive over it, they don't really care. If the water would go into those ditches on the side, it would be great, but it just doesn't do that. Ken Howard stated that we observed that, and we understand that. We know that it would require some additional grading and ditching of Coe Street. I feel that would be the first course of action we could attempt. I am not sure if Roger has had any contact with the people about this situation, but I think that would be a good place to start. Mr. Arlott asked if there is one person that owns that road or if several own it? Atty. Lutz and Matt Sweeny stated that Coe Street is a private road and no particular person owns it. No one knows if someone is to take care of that road. Atty. Lutz stated that there might be an agreement somewhere. There may be a person that is to take care of it. There may be somewhere in the title reports an easement agreement among the residents, somebody has to have one. Ron Zampogna asked based on Kens suggestion Larry, how would we try to get in touch with the residents on Coe Street considering it is a private street? Atty. Lutz stated that you would have to get all of their consents. You would have to get a list of all the property owners that live there. Ken would have to tell all the property owners you would have to contact each one. Ken stated I am not sure how many live on that street. Atty. Lutz stated take a look at the GIS Maps. Somebody owns the underlying road. The Township does not own it. So, there is an owner there who has some civil responsibility. It is causing an issue with our township road. It's not just the water but the stones. Mr. Arlott stated that it is causing problems with Parker Road. It is going under Parker Road. Mr. Arlott stated that his wife's father owned that property for many years and back then he was having the same issues. Matt Sweeny stated that it is a tricky spot. It has been a problem area for some time. We will continue discussing this and see if we can score some options as far as what is going to make sense with that. The main issue is that Coe Street is a private road. We can't touch it or do anything to it without the property owners consent. Atty. Lutz stated that if they are not cooperative then there are other issues. Somebody has created a situation that has impacted our road and we can enforce them to follow our rules. Atty. Lutz stated that we will see if we can get that fixed and obviously the Township has offered their assistance with this situation. Albert Roenigk stated that I feel that is a good idea that Ken has come up with, but good luck with getting even 75% of the people living there to cooperate. We have tried in different areas, but not at Coe Street. All of the driveways go down in. Mr. Arlott stated that he already cut a channel through his driveway but all that did was channeled all the stones into his neighbor's front door. It pours rocks into my neighbors front yard. I have cleaned them up about 2 dozen times and I filled it in because it's not worth the aggravation. No matter what there will be water that will go across to your property. Mr.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – JUNE 13, 2018

Arlott stated that he is willing to get an Attorney, I will take civil action because I don't want my property destroyed anymore. Atty. Lutz stated that we can do some things on Parker Road to help with these issues. Matt Sweeny stated yes, but we can't fight gravity. The water is going to go the

path of least resistance. John Zurisko asked, Mr. Arlott, I counted 18 mail boxes at the end of Coe Street. Do you know if that is how many homes are on Coe Street? I don't know there are several side streets off of Coe Street. Matt Sweeny stated that we will do something and try to find who is in charge of Coe Street and find a solution to fix this issue. We are all on board with finding a solution.

William Hank, 166 ½ Beale Road, discussed ongoing water drainage issues that are also coming from Coe Street. On the odd numbered side of the road there is a culvert pipe on my property. It rained really hard the other Sunday and it took me 6 hours on Monday to clean out the stones and stuff. It is the townships ditch that is channeling the water down the road and into the culvert pipe that comes right out into my yard. Matt Sweeny stated that we will take a look at that area too. I have had a couple Supervisors there. The last one asked me if this has been doing this for a long time. I told him since I moved here in 1978. He said we are grandfathered so we don't have to fix it. Matt Sweeny stated that he doesn't remember that, it must have been before my tenure. Mr. Hank stated I don't want to mention any names, but yes it was. Matt stated if didn't recall the conversation, but it is definitely something we could look at. Albert Roenigk asked if it was him. Mr. Hank stated that Mr. Roenigk came and looked at it a few years ago and he said that they couldn't fix it because the road workers are not permitted on public property. I told him that I permit you to come on my property to fix it, but Mr. Roenigk said he could do that but in the next sentence Mr. Roenigk said but if you buy the pipe, I will have the guys show up and lay it. Ron Zampogna asked what is the address Mr. Hank? Mr. Hank stated 166 ½ Beale Road. Ron stated that he would come out and take a look at it. Mr. Hank stated that the first guy that came out stated that 16 feet from the center of the road going both ways is ours to do with whatever we want but after that it's your problem. Ron Zampogna stated that we will come out and take a look at it along with Mr. Howard and any other Supervisors that are available.

Albert Roenigk stated he saw in the newspaper on Monday that 15 years ago, Mr. William Smith appealed our case to the Supreme Court regarding the trail. That was a lot of work. I know I didn't breathe easy until they rejected it and it was over. Atty. Lutz stated yes, that was Judge Obrien's last case. Albert stated that this went on for another 3 years. Atty. Lutz stated we should have had Ouch Roenigk's name in the paper instead of Mr. Smith's. For the good that he did. Matt stated time sure does fly.

ADJOURNMENT was on a motion of Gary Risch, seconded by John Zurisko at 8:15 pm. Motion carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY