

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – OCTOBER 14, 2020

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, October 14, 2020, via video conference 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 Vice-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 & Janice L. Zubrin, Secretary/Treasurer met in the Township Building regarding the 2021 Budget on Sunday, Oct. 11.
 - b) The Board of Supervisors met with their Solicitor via Video Conference for an Executive Session regarding personnel matters on Oct. 14.
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PUBLIC COMMENTS REGARDING AGENDA ITEMS

There were no comments regarding Agenda Items from the public.

APPROVAL OF THE MINUTES of the September 9, 2020, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeny, seconded by Gary Risch. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for September 1-30, 2020 inclusive for audit, was on motion of Michael Oehling, 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.

REPORTS

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

- **SEPTEMBER 2020:** Twp. Real Estate Tax is \$429.90, Per Capita @ Face is \$70.00

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

- **SEPTEMBER 2020:** Earned Income Tax is \$121,884.46, Local Services Tax is \$6.15

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

- **SEPTEMBER 2020:** Twp. share: \$137.72

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

- **SEPTEMBER 2020:** \$0.00

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

- **SEPTEMBER 2020:** 31 Permits Issued, 6 Single Family Residences, 1 Residential Addition, 10 Porch/Decks/Roof, 1 Storage Buildings, 1 Commercial Building, 7 Grading Permits, 4 Pools, 1 Sign, Building Permit Fee: \$10,387.35, Mileage: 144, Grading Permit Fee: \$700.00, Lot Development Fund: \$5,468.36

(6) THE DISTRICT JUSTICE’S REPORT:

- **SEPTEMBER 2020:** Ordinance & Statute Violations \$0.00, Code Violations \$0.00

(7) BUFFALO TWP. POLICE REPORT

- **SEPTEMBER 2020:** Total calls 118

(8) SARVER VFC, CHIEF’S REPORT

- **SEPTEMBER 2020:** Calls for month 15, Fire related calls 12, Medicals 3, Calls out of Twp. 3, Calls out of Twp. for year 28, Total calls for Year 263, Fire Damage for month \$0.00, Fire Damage for year \$0.00

OLD BUSINESS

RESOLUTION #2020-12 MULTIMODAL TRANSPORTATION FUND GRANT APPLICATION FOR THE BUTLER-FREEPORT COMMUNITY TRAIL – ADOPTED

Bankson Engineers prepared the documents for this grant application. Ken Howard shared some information regarding the Multimodal Transportation Fund Grant and what it has been used for in the past years along the Butler-Freeport Community Trail. This year if we get the grant it will be used for paving a portion of the trail between Marwood and Cabot as well as doing some work on several of the bridges along the trail. The amount we are requesting is \$257,000.00 with a Township match of \$78,230.00.

On a motion of Albert Roenigk, seconded by Matt Sweeny to adopt Resolution #2020-12 Multimodal Transportation Fund Grant Application for the Butler-Freeport Community Trail. Motion Carried. Un. Approval.

NEW BUSINESS

HERTIAGE CROSSING SITE PLAN FOR RECORDING - REAPPROVED

Atty. Farrington stated that this plan was originally approved November of 2019 and for whatever reason was not recorded in the 90 days after approval. So, it needs to be reapproved for recording purposes.

On a motion of Matt Sweeny, seconded by Albert Roenigk to reapprove the Heritage Crossing Site Plan for recording. Motion Carried. Un. Approval.

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PURCHASE OF ANTI-SKID TYPE “AS-1” AS NEEDED - APPROVED

Ron Zampogna stated that we had a mild winter last year so we still have some material left over. This is in case we need to order more Anti-Skid “AS-1” as needed.

On a motion of Albert Roenigk, seconded by Gary Risch to approve the purchasing Anti-Skid “AS-1” as needed. Motion Carried. Un. Approval.

PURCHASE OF APPROXIMATELY 2000 TON OF ROCK SALT FOR CONTRACT PERIOD 2020-2021 – APPROVED

Ron Zampogna stated that we do have material left over from last year. We do not have to purchase this material but our giving ourselves the ability to if it is needed.

On a motion of Gary Risch, seconded by Albert Roenigk to approve the purchasing of approximately 2000 ton of rock salt thru Costars for \$75.21 per ton from Detroit Salt. Motion Carried. Un. Approval.

ADVERTISING OF THE 2021 BUDGET PRESENTATION AND ADOPTION - APPROVED

On a motion of Matt Sweeny, seconded by Gary Risch to approve advertising of the 2021 Budget Presentation and Adoption. Motion Carried. Un. Approval.

APPLYING FOR TAX ANTICIPATION LOAN FOR 2021 - APPROVED

Ron Zampogna stated this is just standard procedure until the tax money starts coming in. It is something we do every year. We get a \$200,000.00 loan thru First National Bank as a safety net.

On a motion of Michael Oehling, seconded by Matt Sweeny to approved applying for a tax anticipation loan for the year 2021. Motion Carried. Un. Approval.

RETIREMENT GIFT FOR JOHN GAYDOS – APPROVED

Ron Zampogna stated John Gaydos the Township’s Road Master just retired after 40 or 45 years of service. We would like to purchase a watch as a token of our appreciation and have it engraved. Is there anyone from the public who would like to comment on this? No one from the public commented.

On a motion of Gary Risch, seconded by Matt Sweeny to purchase a watch and have it engraved as a token of appreciation for John Gaydos’ retirement gift. Motion Carried. Un. Approval.

LAND DEVELOPMENT

There were no Land Development items to be discussed.

REMARKS FROM THE FLOOR

Chris Zeigler, President of the Trail Council shared an update regarding the Butler-Freeport Community Trail. The Caboose was moved on September 11, 2020 to its new home in Cabot. Ouch

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drove in the last spike on the rail. If you hire the right people it's really easy to get the work done. Steiner's Crane Service was great, Holbein Inc. was great, the Buffalo Police helped out. There were several people who showed up to help including John Zurisko. We will be having a Halloween Themed Caboose Open House on October 24th from 11-3. Cellar Works Brewing will be coming and we are looking for a food truck. We will be accepting donations of non-perishable food items for the Cabot United Methodist Church Food Bank on that day. The Trail is still very busy. We are selling Non-Race Technical T-shirts for the Half Marathon Runners and Volunteers presale by order only and a Scout will be planting Pawpaw trees along the trail in Cabot as part of his Eagle Project within the next 6 weeks or so. I just received a message before the meeting that someone ran into a gate at Brinker Road. It looks like they did not get through into the trail but did do damage to their vehicle. The gate is still standing, we will most likely replace the gate next spring. The Supervisor's thanked Chris for all she does.

Ron Zampogna stated that the Township Road Department has been doing a project over on the back side of the Woodbury Plan. It was a project that we originally put in to get a grant for but unfortunately did not get. Ron stated that Bob Fletcher, Asst. Road Master spear headed the project and got it done in a very inexpensive manner. Ron thanked Bob and the Road Department for their hard work. Bob stated that there is one more basin on top of that hill that still needs fixed. Everything is going well. We fixed another issue over on Fleming Road and hopefully that was finished up today. We are now getting ready for winter. Ron stated that there is another project that still needs to be addressed over in the Edgewood Plan and unfortunately we did not get the grant for that project. That is a big project and we don't feel that we want to have you guys work on that for safety purposes. Bob replied that he does feel that the Road Crew could handle it if they want us to. Ron stated that I do not think you couldn't handle it; I just feel that it is very deep which is extremely concerning. Ron asked Ken Howard about it. Ken stated that we haven't actually designed that yet. So, possibly if we could get an easement from the adjoining landowner maybe we could put a new pipe through there that is not quite as deep. We would have to study it and make a design and see if it would be something that your equipment could dig. Ron replied if it is something that they could possibly handle great, but we do not want to put them in harms way.

Tom & Linda Weynar, 603 Shook Drive were in attendance requesting an update regarding the Nussbaumer Plumbing situation and where they stand. Ron asked Atty. Farrington to speak regarding this. The Nussbaumer's submitted a "Special Exception" Application to the Zoning Hearing Board. I know because I checked it. Your name is specifically on there that you have to get notice of the hearing date and that this has occurred. You will have the opportunity to be present whether that is in person or by video at the Zoning Hearing Board Meeting where they consider the "Special Exception". Mr. Weynar asked when that will be or if it has been scheduled. Atty. Farrington asked Rhonda Swartz if she knew the answer. Rhonda stated that the Zoning Hearing Board is working on setting a date for the hearing. Mr. Weynar asked who the members of the Zoning Hearing Board are. Rhonda stated that Harry Crytzer is the Chairman, Alan Kersten and Clayton Holbein are the other Board members with Atty. Stephen Yakopec as their Solicitor. Mrs. Weynar asked what they are applying for again? Atty. Farrington stated that it is a Special Exception. The way that our Zoning is set up, there is certain Conditional Uses that would allow someone to use a property that isn't a permitted use and the Nussbaumer's would have to apply for a Conditional Use. However, in order to meet one of those Conditional Uses they would have to apply for a Special Exception as they don't fall in the exact criteria

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of the Conditional Uses. So, in other words for them to use that property in the manner in which they seek, they would have to receive a Special Exception by the Zoning Hearing Board and then come before the Board of Supervisors with that Special Exception and apply for a Conditional Use. Mrs. Weynar asked how long does it take for a Conditional Use to run? Is there a time limit on it? Atty. Farrington replied as long as they live on that premises and it is no longer used for that purpose. If at a certain point in time they would stop using that property as a business then it would lapse. Their Attorney has discussed possible concessions of that with me which I believe he plans to present in front of the Zoning Hearing Board. I just can not speak on his behalf. Mrs. Weynar asked if this is just the other step that they are taking because they did not get a Variance? Atty. Farrington replied, yes. Mrs. Weynar asked if the hearing will be done this year and Atty. Farrington replied, yes. Atty. Farrington stated that he will contact Atty. Yakopec this week to see where things stand.

ADJOURNMENT was on a motion of Gary Risch, seconded by Matt Sweeny at 7:55 pm. Motion carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY