

**BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – DECEMBER 9, 2020**

**AND**

**ADOPTION OF THE 2021 BUFFALO TOWNSHIP BUDGET OF ALL FUNDS**

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors and Presentation of the 2021 Buffalo Township Budget of All Funds was held Wednesday, December 9, 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.

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**ANNOUNCEMENT OF EXECUTIVE SESSIONS; PERSONNEL; AND/OR INFO-GATHERING MEETINGS OF THE BOARD**

- a) Gary Risch attended the Planning Commission Meeting via Zoom Video Conference on Wednesday, Dec. 2.
- b) The Board of Supervisors met with their Solicitor via Video Conference for an Executive Session regarding personnel matters on Dec. 9.

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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 November 11, 2020, 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 November 1-30, 2020 inclusive for audit, was on motion of Albert Roenigk, 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.

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**PROPOSED 2021 BUFFALO TOWNSHIP BUDGET OF ALL FUNDS**

Chairman Ron Zampogna asked for questions, comments, or suggestions from the residents present regarding the Supervisors' Line Item Allocations and/or the Total Township Budget. The Budget has been posted and it is a little over \$2.6 million dollars.

**RESOLUTION #2020-14 BUFFALO TOWNSHIP BUDGET OF ALL FUNDS - ADOPTED**

On motion of Matt Sweeny seconded by Michael Oehling, to adopt Resolution #2020-14 Buffalo Township Budget of All Funds. Motion Carried. Un. Approval.

**ADOPTION OF TAX RESOLUTION #2020-15 - ADOPTED**

On motion of Michael Oehling, seconded by Gary Risch, to adopt Resolution #2020-15, which establishes the 2021 Tax Rate, as follows: ½% Earned Income Tax, ½% Real Estate Transfer Tax, \$47 Local Services Tax, \$10 Per Capita Tax (all persons 18 years of age and older, and Buffalo Twp. Real Estate Tax – 5.5 ML. Motion Carried. Un. Approval.

**REPORTS**

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

- **NOVEMBER 2020:** Twp. Real Estate Tax is \$0.00, Per Capita @ Face is \$4,979.63  
Per Capita @ Face is \$720.00

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

- **NOVEMBER 2020:** Earned Income Tax is \$135,642.07, Local Services Tax is \$24,622.11

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

- **NOVEMBER 2020:** Twp. share: \$135.00

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

- **NOVEMBER 2020:** \$16,369.06

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

- **NOVEMBER 2020:** 3 Permits Issued, 1 Single Family Residences, 1 Residential Storage, 1 Porch/Decks/Roof, Building Permit Fee: \$210.00, Mileage: 100, Grading Permit Fee: \$0.00, Lot Development Fund: \$0.00

**(6) THE DISTRICT JUSTICE'S REPORT:**

- **NOVEMBER 2020:** Ordinance & Statute Violations \$411.01, Code Violations \$156.98

**(7) BUFFALO TWP. POLICE REPORT**

- **NOVEMBER 2020:** Total calls 132

**(8) BUFFALO VFC, CHIEF'S REPORT**

- **NOVEMBER 2020:** Calls for month 00, Fire related calls 00, Medicals 0, Calls out of Twp. 0, Calls out of Twp. for year 00, Total calls for Year 000, Fire Damage for month \$0.00, Fire Damage for year \$0.00

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**(9) SARVER VFC, CHIEF'S REPORT**

- **NOVEMBER 2020**: Calls for month 00, Fire related calls 00, Medicals 0, Calls out of Twp. 0, Calls out of Twp. for year 00, Total calls for Year 000, Fire Damage for month \$0.00, Fire Damage for year \$0.00

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**OLD BUSINESS**

**REAPPROVAL OF PLAN NO. 2 REVISION OF LOT 2 FOR THE JOHN M. ALLEN JR. FAMILY TRUST - APPROVED**

Ken Howard with Bankson Engineers stated this plan was previously approved but was not recorded in the 90-day time period which is required by the recorder of deeds office. So, it just needs reapproved to update the date of approval for recording.

On a motion of Albert Roenigk, seconded by Gary Risch to reapprove the Plan No. 2 Revision of Lot 2 for the John M. Allen Jr. Family Trust. Motion Carried. Un. Approval.

**DISCUSSION REGARDING TOWNSHIP CREDIT CARD – APPROVED**

Ron Zampogna stated that this is a follow up conversation from last months meeting regarding the Township potentially getting a credit card for purchases. It looks like the Supervisors will move forward and get a credit card for the township. Ron stated Janice, what we would like to see happen with the credit card is that it be in your possession at all times. Janice replied okay. Ron stated if a purchase needs to be made outside of an internet purchase by someone other than Janice then Chief Derringer and Bob Fletcher will be authorized but if that does occur then the credit card must be back into Janice's possession by the end of work that day. So, Janice will be the sole responsible party at the end of the day. Janice replied, okay. We are also going to authorize Janice to make the purchases and to feel free if the purchase is larger than she feels comfortable to contact the Supervisors to discuss that at any time. Ron asked if the Township has any other credit cards at this time? Janice replied that we have one for Tractor Supply. Ron asked Janice if it is in her possession. Janice replied no. Bob Fletcher, Acting Road Master spoke up and stated that it is in his possession right now and is guarded at all times. I am the only one that purchases anything with it and stated if it is a problem that he will give it back to Janice. Ron replied, it's not that it is a problem but if there would be any questions then we can go straight to Janice. It is not an issue of trust but it is just better if there is one person handling it. It makes it much easier. Not that there would be any reason to point fingers but if there would be then the finger would be pointed at Janice. Ron asked Bob to get the Tractor Supply Credit Card back to Janice in the morning and Bob replied he would.

On a motion of Gary Risch , seconded by Matt Sweeny authorizing Janice L. Zubrin, Township Secretary/Treasurer to get a Credit Card for purchases needed by the Township and to have Janice L. Zubrin, Chief Tim Derringer and Bob Fletcher, Acting Road Master as the authorized parties to make purchases using this credit card. Motion Carried. Un. Approval.

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**NEW BUSINESS**

**MOTION TO SET REGULAR MONTHLY MEETINGS - APPROVED**

Motion to set Regular Monthly Meetings at 7:30 pm, the 2<sup>nd</sup> & 4<sup>th</sup> Wednesday of the month. The months of June, July, August, November & December will be the 2<sup>nd</sup> Wednesday only. The Reorganization Meeting will be Monday, January 4, 2021 at 7:00 pm with the Regular Monthly Meeting to immediately follow.

On a motion of Matt Sweeny, seconded by Albert Roenigk to set the 2021 Regular Monthly Meeting Schedule as listed above. Motion Carried. Un. Approval.

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**LETTER OF REQUEST FROM RICHARD HEALEY FOR REAPPOINTMENT TO THE MUNICIPAL AUTHORITY BOARD FOR AN ADDITIONAL 5-YEAR TERM – APPROVED**

On a motion of Michael Oehling, seconded by Gary Risch to approve the reappointment of Rick Healey to the Municipal Authority Board for another 5-year term. Motion Carried. Un. Approval.

**LETTER OF RESIGNATION FROM CARLA GARIA AS TAX COLLECTOR OF BUFFALO TOWNSHIP EFFECTIVE DECEMBER 31, 2020 AND A RECOMMENDATION LETTER FROM CARLA GARIA FOR ROBYN FLEISHMAN TO REPLACE HER AS BUFFALO TOWNSHIP TAX COLLECTOR TO FILL THE REMAINDER OF HER TERM WHICH ENDS DECEMBER 31, 2021 – APPROVED**

Ron stated that Carla's term was set to expire on December 31, 2021 but she has asked to step down and has submitted her resignation letter a year early. With regards to filling her position she has recommended Robyn Fleishman to replace her as the Buffalo Township Tax Collector. Robyn is a Township resident and has been working hand in hand with Carla for the past 8 years and so she knows the job quite well. In culmination, Carla has submitted her resignation and has recommended Robyn as her replacement.

On a motion of Matt Sweeny, seconded by Gary Risch to accept with regrets and a huge thank you for all her years of service, Carla Garia's resignation letter as Buffalo Township's Tax Collector as of December 31, 2020. Motion Carried. Un. Approval.

**MOTION TO APPOINT ROBYN FLEISHMAN TO FILL THE REMAINDER OF CARLA GARIA'S TERM AS BUFFALO TOWNSHIP'S TAX COLLECTOR THROUGH THE END OF DECEMBER 2021 – APPROVED**

On a motion of Gary Risch, seconded by Matt Sweeny to appoint Robyn Fleishman to fill the remainder of Carla Garia's term as Buffalo Township's Tax Collector through the end of December 2021. Motion Carried. Un. Approval.

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**MOTION TO AWARD CONTRACT/CONSULTING AGREEMENT WITH T.E.C GUY FOR GENERAL IT ASSISTANCE AND WEB ASSISTANCE FROM 1/1/2021-6/1/2021 – APPROVED**

On a motion of Gary Risch, seconded by Michael Oehling to award Contract/Consulting Agreement with T.E.C. GUY for General IT Assistance and Web Assistance from 1/1/2021 – 6/1/2021 at a rate of \$35.00 per hour as needed. Motion Carried. Un. Approval.

**DISCUSSION REGARDING THE CONSIDERATION OF THE TOWNSHIP'S ADOPTION OF ADDITIONAL ROADS IN THE VILLAGE OF SARVER'S MILL – APPROVED WITH CONTINGENCIES**

Ken Howard stated that The Meritage Group has made a formal request of Buffalo Township to adopt the six (6) streets that are remaining in the Sarver's Mill Plan of lots together with the stormwater system that is within the road easement. The streets that they are asking the township to adopt are Creekside Drive 2R & 4R, Sarver's Mill Drive, Clubhouse Drive, Hidden Cliff Road, Rock Cliff Court and Overlook Court. We have received the as-builts for the stormwater system and the street system. We have received the legal descriptions and the attorney has prepared a Resolution for tonight which is Resolution #2020-16 whereby you would take action to adopt these streets. We would recommend that they could be adopted with a contingency that the Attorney and the Engineer finalize any outstanding detail on these legal descriptions. In addition to the documents, we have in hand that appear to be in order the Meritage Group has requested that we release the Performance Bonds for Phase 3B in the amount of \$217,458.91, Phase 4 Bond in the amount of \$523, 399.75 and Performance Bond for Phase 5 in the amount of \$296,833.00. It would be our recommendation that we could release these 3 bonds and then as part of the adoption of these roads request the Meritage Group post a Maintenance Bond for an 18 Month period and the amount of the Maintenance Bond would be \$32, 618.84 for Phase 3B, for Phase 4 the Bond amount would be \$78,509.96, and the Bond for the Phase 5 would be \$44, 524.95. We would recommend that the township consider taking action on adopting this Resolution contingent on the Solicitors finalization of the posting of these Maintenance Bonds at this evenings meeting. Atty. Farrington stated that with respect to the roads, Meritage and Sarver's Mill have got us over the documents that we need. I did review the descriptions and put them into a Resolution that the Board can adopt tonight. With respect to the Performance and Maintenance Bonds I have nothing in addition to what Mr. Howard has said. I do see that Atty. Sebring is here for the Meritage Group as well as Mr. Rumbaugh.

On a motion of Matt Sweeny, seconded by Albert Roenigk to adopt the roads in the Village of Sarver's Mill with contingencies that the Solicitor and Engineer finalize all outstanding items. Motion Carried. Un. Approval. Resolution #2020-16 follows these minutes.

**MOTION TO RELEASE PERFORMANCE BONDS BY THE MERITAGE GROUP FOR THE VILLAGE OF SARVER'S MILL - APPROVED**

On a motion of Matt Sweeny, seconded by Albert Roenigk to release the Performance Bonds back to The Meritage Group. Motion Carried. Un. Approval.

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**MOTION TO ACCEPT THE POSTING OF MAINTENANCE BONDS BY THE MERITAGE GROUP FOR THE ROAD IN THE VILLAGE OF SARVER’S MILL – APPROVED**

Mr. Jim Rumbaugh asked that the Township write a letter signed by the Chairman that the roads have been accepted. Ron asked Janice and Atty. Farrington to contact him when the letter is ready to be signed so he can stop at the township and sign it.

On a motion of Matt Sweeny, seconded by Gary Risch to accept the posting of the Maintenance Bonds by The Meritage Group for the roads in the Village of Sarver’s Mill for any possible repairs. Motion Carried. Un. Approval.

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**RETROACTIVE MOTION TO APPROVE ADVERTISING THE BOARDS INTENT TO CONTRACT WITH A CPA FOR THE 2020 AUDIT – RETROACTIVELY APPROVED**

On a motion of Gary Risch, seconded by Michael Oehling to retroactively approve the Boards intent to contract with a CPA for the 2020 Audit. Motion Carried. Un. Approval.

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**MOTION TO APPROVE THE SALE OF 3 OLD DUMP TRUCKS BY THE TOWNSHIP – APPROVED**

Ron Zampogna stated that the township has 3 old dump trucks. One is a 1995, one is a 1998 and the other is a 2000. They all need a lot of work. We have already put a lot of money into them in the past. We feel that it is time to upgrade the equipment. With that being said, by law we are permitted to sell each dump truck individually for \$2,000.00 or less. They do not operate and we would like to get them off of the Township insurance because they have no value to us. So, we are going to sell each of these dump trucks as is for \$1,995.00 each or less.

On a motion of Matt Sweeny, seconded by Gary Risch to sale the 3 dump trucks as is for \$1,995.00 each or less. Motion Carried. Un. Approval.

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**LAND DEVELOPMENT**

**PROPOSED AMENDMENT #4 TO ZONING ORDINANCE #135**

Snug & Monk Properties are proposing to rezone Tax Parcel number 040-1F77-8 located at 128 Parker Road. The property is a total of 4.1 acres and is currently zoned “R-1”; they are proposing to change it to “A-1”. The property across the road from the proposed site is zoned “A-1”. The present use of the property is a “Single Family Residence”; the proposed use will be a Single-Family Residence with use for farm animals as well as an Historic Horse Farm with a Livestock Barn.

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The Township office is in receipt of the Petition for Amendment of Zoning, the filing fee, the Legal description of Property, Map showing location of property, List of property owners within 300', Butler County Planning Commission comments received 11/13/2020; BCPC had no comments on this request, Municipal Authority of Buffalo Township comments received 11/23/2020; Public water does not exist within the vicinity of 128 Parker Road; however, public sewage serve does exist and currently serves this property, Bankson Engineers comments received 11/24/2020; The property under consideration is currently located within the R-1 Single Family Residential District. The Applicant desires to have the subject property reclassified to A-1 Agricultural District to accommodate a Single-Family Residential Use as well as an Agricultural Use. The Agricultural District permits one (1) single-family detached dwelling per lot. Agricultural is a Permitted Use in the A-1 Agricultural District. The R-1 Single-Family Residential District abuts the subject property to the north, south and west. The property on the opposite side of Parker Road is currently zoned A-1. As such, it does not appear as if the proposed zoning change would constitute a spot zoning. The proposed Agricultural Use is consistent with past and present uses of the subject property and the immediately surrounding area. If the zoning change is granted, the Applicant shall comply with all applicable requirement of the Zoning Ordinance for the A-1 Agricultural District.

Ken Howard with Bankson Engineers stated that the R-1 Single Family Residential District abuts the subject property from north, south and west. The property on the opposite side of Parker Road is currently zoned A-1 and it does not appear that the purposed zoning change would constitute spot zoning. The purposed Agricultural use is consistent with past and present uses of the subject property and the immediate surrounding area. If the zoning change is granted the applicant shall comply with all applicable requirements of the Zoning Ordinance of the A-1 Agricultural Zoning District. We recommend that the Supervisors schedule a Public Hearing for the purposed use. Hugh Rumbaugh, Principle with Snug & Monk Properties was in attendance. Atty. Brian Farrington stated that before the Supervisors' meeting would be best as we have done in the past. Please state on the record that my office, Lutz, Pawk & Black represents Snug & Monk Properties on other legal matters. Hugh Rumbaugh replied that he has no issues. Ron asked if we could have this before the regular monthly meeting? Atty. Farrington stated that it could be after the Reorganization Meeting but before the Regular Monthly Meeting and asked Janice if that would be possible. Janice replied, I believe it could. Ron stated that the Reorganization Meetings usually only take approximately 15 minutes. Ron suggested having a 7:20 Hearing. Atty. Farrington agreed and asked Mr. Rumbaugh and Ken Howard when he submitted the application. Rhonda stated that the application was submitted November 9, 2020.

On a motion of Matt Sweeny, seconded by Albert Roenigk to set the date/time and advertise a Public Hearing for January 4, 2021 at 7:20 pm for a request by Snug & Monk Properties for the Zoning change at 128 Parker Road form R-1 to A-1. Motion Carried. Un. Approval.

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Chris Zeigler, President of the Trail Council was present and shared an update regarding the Butler-Freeport Community Trail. They are holding a Christmas themed Open Caboose on Saturday and Sunday from 10 am to 2 pm. If it were a normal year, I think we would have tried to do a Polar Express Theme. Hopefully, next year that can happen. The race shirts we sold can be picked up on those days and times. They hired a tree service to remove a very large tree at Bonniebrook. County Grant work for Butler County Parks & Recreation we used to raise the trail bed at Great Belt Road because it was subject to flooding. We cleaned a ditch at Protzman Road that had acid mine drainage and a pit that was a problem south of Cabot. Next week we are replacing the inlet pipe and culvert pipe at Bonniebrook. We are going to hold a last day hike on 12/31 at the Caboose in Cabot.

Bob Fletcher, Acting Road Master was present and shared an update regarding the Township Road Department. We have been working on the 1999 that we just purchased. It needed some TLC. It is running well. Snow fence is up. Working on equipment, cleaning out the office and lunchroom and hoping to get it painted. Discussion regarding the radios and some other things that need addressed around the township.

**REMARKS FROM THE FLOOR**

There were no remarks from the floor from any attending residents.

**ADJOURNMENT** was on a motion of Gary Risch, seconded Matt Sweeny by at 8:20 pm. Motion carried. Un. Approval.

**APPROVED:**

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**CHAIRMAN**

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**SECRETARY**