

**BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021**

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, February 10, 2021, via video conference and convened at 7:58 p.m. The Meeting was called to order by the Chairman, Ron Zampogna III. This Meeting is being recorded, if anyone is taping this Meeting, please state your name and address.

ROLL CALL

Ron Zampogna III	Present
Matthew J. Sweeny	Present
Albert T. Roenigk	Present
Gary L. Risch Sr.	Present
Michael Oehling	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) Albert Roenigk attended the Planning Commission meeting via video conference on Wednesday, Jan. 6.
- b) Gary Risch & Matt Sweeny attended the Planning Commission meeting via video conference on Wednesday, Feb. 3.
- c) The Board of Supervisors met for an Executive Session via video conference with their Solicitor and Township Engineer regarding personnel matters Wednesday, Feb. 10.

PUBLIC COMMENTS ON AGENDA ITEMS

APPROVAL OF THE MINUTES of the January 4, 2021, Reorganization Meeting and 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 January 1-31, 2021 inclusive for audit, was on motion of Albert Roenigk, seconded by Matt Sweeny. Motion Carried. Un. Approval.

MONTHLY BILLS

After reviewing 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.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021

REPORTS

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

- **JANUARY 2021:** Twp. Real Estate Tax is \$0.00, Per Capita @ Face is \$0.00
Per Capita @ Penalty is \$0.00

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

- **JANUARY 2021:** Earned Income Tax is \$45,123.33, Local Services Tax is \$4,627.20

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

- **JANUARY 2021:** Twp. share: \$0.00

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

- **JANUARY 2021:** \$23,023.05

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

- **JANUARY 2021:** 17 Permits Issued, 6 Single Family Residences, 1 Residential Storage,
1 Residential Garage, 2 Porch/Decks/Roof, 7 Grading Permits, Building Permit Fee: \$6,896.10,
Mileage: 140, Grading Permit Fee: \$610.00, Lot Development Fund: \$1,367.09

(6) THE DISTRICT JUSTICE’S REPORT:

- **JANUARY 2021:** Ordinance & Statute Violations \$477.21, Code Violations \$29.40

(7) BUFFALO TWP. POLICE REPORT

- **JANUARY 2021:** Total calls 116

OLD BUSINESS

ANNOUNCEMENT: THE 7 ACRE PARCEL BELONGING TO JAMES RIDDLE ALONG SMITH ROAD WILL BE ADDED TO AG-SECURITY AREA

Atty. Farrington stated that Mr. Riddle had submitted this request to the Township in July. The way that the procedure works is that most townships in Butler County allow these to go through, but it does take time. Mr. Riddle's addition will ensure that the property is used for Agricultural purposes. It would be preserving an important part of Buffalo Township. We will be recording an Affidavit which is essentially places it in that area. It will be submitted to Butler County Conservation and then will be sent to the Commonwealth of Pennsylvania.

NEW BUSINESS

MOTION TO APPROVE AMENDMENT #4 TO ZONING ORDINANCE #135

Ron Zampogna stated that this regarding the Snug & Monk property at 128 Parker Road.

On a motion of Gary Risch, seconded by Matt Sweeny to approve Amendment #4 to Zoning Ordinance #135. Motion Carried. Un. Approval.

**BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021**

MOTION TO APPROVE AMENDMENT #5 TO ZONING ORDINANCE #135

Ron Zampogna stated that this is regarding the second Public Hearing for Mr. and Mr. Nussbaumer for the property located at 808 South Pike Road. As I mentioned in the Hearing, the Township and Bankson Engineers received the paperwork from the applicant yesterday afternoon. The paperwork for any business with the Township is to be received a minimum of 10 business days prior to the Meeting. So, obviously we got the paperwork yesterday. One day for Mr. Howard the Township Engineer and one day for Atty. Farrington the Solicitor to review is not near enough time. With that being said, with the paperwork just being presented to the Township. The Planning Commission obviously was unable to review this at their meeting last week which is the way that the procedural process works. So, with the Planning Commission and the Supervisors not having the time to review after Bankson Engineers and Atty. Farrington. I would suggest we table the 808 South Pike Road topic until Planning sees it in early March and then it come back to us the second Wednesday in March. Colton Mell of 457 Monroe Road asked what the proposed business is at 808 South Pike Road. Ron answered it is currently Zoned R-2 Residential and they are asking the property to be rezoned to B-1 Business District to move their Plumbing Business into that property.

On a motion of Albert Roenigk, seconded by Matt Sweeny to table Amendment #5 to Zoning Ordinance #135 until the March Meeting. Motion Carried. Un. Approval.

DISCUSSION/MOTION TO APPROVE REQUEST BY ANNA RHODEN, PRESIDENT OF THE FREEPORT CROSS COUNTRY BOOSTERS FOR USE OF THE BUTLER-FREEPORT COMMUNITY TRAIL AT MONRE ROAD TO HOLD THEIR 16TH ANNUAL FREEPORT 5K FLASH RACE ON SATURDAY, JUNE 5, 2021 FROM 8 AM UNTIL NOON

Ron Zampogna asked Chris Zeigler, President of the Trail Council if that weekend works? Chris replied that they have used the trail that same weekend forever so yes, that date is open. Anna Rhoden, President of the Freeport Cross Country Boosters was in attendance and thanked the Board of Supervisors.

On a motion of Matt Sweeny, seconded by Michael Oehling to approve the request by Anna Rhoden, President of the Freeport Cross Country Boosters for use of the Butler-Freeport Community Trail to hold their 16th Annual Freeport 5K Flash Race on Saturday, June 5, 2021. Motion Carried. Un. Approval.

EDGEWOOD DRIVE STORM SEWER REPLACEMENT PROJECT

Ron Zampogna stated that the Township has been trying to move forward with this project for some time now. We have tried to secure some funding to help with the project because it will be costly and an expensive project for us. We have unfortunately been unsuccessful in doing this but with that being said, we know that it is a major issue for the Edgewood Plan. Ken Howard stated that we have approximately 200 lineal feet of storm sewer that needs to be replaced off of Edgewood Drive. It was subject to obtaining an easement from the private land owner, Mr. Long. We have obtained that easement and we signed an easement to give the township permission to install this new storm sewer pipe. This is the first step in trying to remedy some of the problems with the storm sewer system along Edgewood Drive. It is a rather deep installation where they'll begin this work is approximately 10 feet

**BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021**

deep underneath of an existing water line and gas line. So, we felt it best to bid this out to a contractor who has the appropriate trench boxes and safety equipment such that the project could proceed under safe measures. The project could be designed if the Board so chooses.

On a motion of Albert Roenigk, seconded by Gary Risch to advertise for bids for the Edgewood Drive Storm Sewer Project. Motion Carried. Un. Approval.

LAND DEVELOPMENT

OAK CREEK FARMS PRD – FINAL SITE/SUBDIVISION PLAN

Gateway Engineers is submitting a proposal for F & H Property Development, LLC proposed Oak Creek Farms Development located on the south side of South Pike Road (SR 356) on Parcels 040-1F77-8B in Buffalo Township, Butler County in the Single-Family Residential District (R-1) on 28.8 acres of land. The property is part of the remnant parcel from the Twin Oaks Development currently being developed. The subdivision plan is located along Parker Road and is 28.8 acres. The property is adjoining and lies south east of the Twin Oaks Development. This plan had Conditional Use approval in September 2020. This site will have 44 lots. The lots will be an average size of 1/3 acre and include approximately 10.5 acres of undeveloped open space.

The Township office is in receipt of the Site/Subdivision Plan Application, Site/Subdivision Filing Fee, Site/Subdivision Plans, Municipal Authority of Buffalo Township Comments received 11/23/2020; Public water & sewage exist within the vicinity of this project As discussed previously with the Developer, the route for water service, as depicted in the site plan, will not be approved by the Authority. There is one water main on Sarver Road that feeds all of Chester field Estates (76 homes), Twin Oaks (proposed 98 homes) and the proposed project of 44 homes. If there is a main break on Sarver Road, all homes will be without water until repairs are made. The Authority is requesting that the Developer consider extending water service from SR 356 to Parker Road. This will loop the system and provide adequate fire protection for this area. This request is not uncommon – the Authority required Sarver’s Mill to install a looped system in their development of 137 lots. Bankson Engineer Comments received 2/10/21; We are in receipt of the Final Planned Residential Development Application, Subdivision Application, and Land Development Plan Application for the proposed Oak Creek Farms Planned Residential Development project. The Applicant is F & H Property Development, LLC. The Final Application for Land Development was submitted on behalf of the Applicant by The Gateway Engineers, Inc. on Monday, November 16, 2020. Our office issued letters containing review comments in advance of the December 2, 2020 and January 6, 2021 Planning Commission Meetings. This project received Conditional Final Approval from the Planning Commission at its January 2021 Meeting. On January 29, 2021, our office received a resubmission of project materials from the Applicant’s Consultant in response to our latest comments. We have reviewed these revised documents for conformance with the applicable Buffalo Township Codified Ordinances, including: Outdoor Lighting Ordinance, Ordinance No. 123; Stormwater Management Ordinance, Ordinance No. 134; Zoning Ordinance, Ordinance No. 135; and Subdivision and Land Development Ordinance, Ordinance No. 136. Our comments relative to the review of these revised materials are as

**BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021**

follows: GENERAL COMMENTS: 1. All permits and fees, including but not limited to those shown below, shall be obtained and/or provided to the Township as a condition of Final Approval: a. NPDES Permit for Stormwater Discharges associated with Construction Activities. b. Township Grading Permit. c. General Permit for Minor Road Crossing. d. Township Sign Permit. e. Fee-In-Lieu of Recreational Land Dedication. f. Financial Surety to Public Improvements. g. Stormwater Operation & Maintenance Agreement. h. Developer's Agreement with Maintenance Activities Outlined. We recommend that the Final Land Development Plan Application for the Oak Creek Farms Planned Residential Development may be Approved at this time. As a contingency of Final Approval, the Applicant should provide evidence of receipt of all governmental permits, pay all necessary fees, and enter into all agreements, as necessary, as outlined above. Planning Commission comments received 1/6/21.

Ken Howard with Bankson Engineers stated that the Engineer on the project has submitted the expected revisions that we have received and reviewed which fall in line with your Ordinances. So, we would ask any approval tonight could be conditioned upon them receiving all associated permitting that is required as listed above. We can recommend approval for this Land Development for 44 lots and the Subdivision which is two actions that they are getting approved. The Land Development and the Subdivision Plan. Mike Ogin with Gateway Engineers was in attendance and Gary Herbert, Developer with F & H Properties was in attendance.

On a motion of Gary Risch seconded by Michael Oehling to approve the Oak Creek Farms PRD Land Development contingent on the comments in Bankson Engineers review letter listed above. Motion Carried. Un. Approval.

On a motion of Gary Risch seconded by Michael Oehling to approve the Oak Creek Farms PRD Subdivision Plan contingent on the comments in Bankson Engineers review letter listed above. Motion Carried. Un. Approval.

Atty. Farrington asked if once they get the Legal Agreements if someone could send them to his office so that he can run it through the appropriate channels. Mike Ogin asked if there is a specific Agreement. Atty. Farrington answered that he could email that information to Mike who could then forward it to Gary Herbert.

MASON PLAN NO. 1 – 760 SARVER ROAD – SUBDIVISION

Breski Surveying is submitting a proposal for D. & L. Mason for a subdivision of their property located at 760 Sarver Road. This will be a 2-lot subdivision. Lot #1 is 10.00 acres with an existing Log Cabin, Single Family Residential Home and Lot #2 is 7.35 acres on a vacant lot.

The Township office is in receipt of the Subdivision Application, Filing fee, Butler County Planning Commission comments received as of 1/6/21; Municipal Authority Comments received 12/31/2020; Public water and sewage service does not exist to this property, Bankson Engineer Comments received 12/29/20; Planning Commission comments received 2/3/21. Fee In Lieu of received.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021

Ken Howard with Bankson Engineers stated that we have worked through this subdivision plan with their Engineer and they have satisfied our requirements and we recommend the plan be approved as presented. The plan does fall within the Winfield Township line and will need signed by Winfield as well. Mr. Harry Breski stated that the plans were indeed signed by Winfield Township and were delivered to the Township office last week.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve as presented the Mason Plan No. 1, 760 Sarver Road, Subdivision. Motion Carried. Un. Approval.

A.M. FLEMING PLAN/SARVER FREE METHODIST CHURCH – SARVER ROAD - LOT LINE REVISION

Graff Surveying is submitting a proposal for A.M. Fleming of 517 Sarver Road. They are proposing a Lot Line Revision to transfer a .21-acre strip of property from the Sarver Free Methodist Church to the Flemings.

The Township office is in receipt of the Lot Line Revision Application, Filing fee, Plans, Butler County Planning Commission comment letter received 12/17/20; BCPC did not have any comment on this plan; Municipal Authority Comment letter received 12/31/20; Public water and sewage service currently exist to both properties. The lot line revision request will not impact service; Bankson Engineers comments received 1/4/21; Planning Commission comments received 2/3/21.

Ken Howard with Bankson Engineers stated that the applicant is adding 25 feet of land to his current lot and the plan is in accordance with your Ordinances and we recommend approval as presented. Steven Graff with Graff Surveying was in attendance.

On a motion of Gary Risch, seconded by Matt Sweeny to approve as presented the A.M. Fleming Plan Lot Line Revision as presented. Motion Carried. Un. Approval.

J. LEVRI PLAN - LOT LINE REVISION

Graff Surveying is submitting a proposal for James & Margaret Levri of 115 Bayberry Drive. They are proposing a Lot Line Revision to convey a .198-acre tract from Lot 63 to Lot 62.

The township office has received the Lot Line Application, filing fee, Plans, Butler County Planning Commission comment letter received 1/21/2021; BCPC did not have any comments on this plan, the Municipal Authority of Buffalo Township comment letter received 1/22/2021; Public water and sewage is available to both Lots 62 and 63 of the Woodbury Plan and/or J. Levri Plan, Bankson Engineers comment letter received 1/15/2021; Planning Commission comments received 2/3/21.

Ken Howard with Bankson Engineers stated that this is a simple lot line revision plan as well and it does meet the requirements of your Ordinances and we recommend approval as presented.

On a motion of Michael Oehling, seconded by Matt Sweeny to approve as presented the J. Levri Plan – Lot Line Revision. Motion Carried. Un. Approval.

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021

Chris Zeigler, President of the Trail Council was in attendance and shared updates regarding happenings with the Butler-Freeport Community Trail. Opening Trails Day Celebration will be April 24th this year and we are looking at having a bike swap meet and possibly a Food Truck in Cabot at the Caboose so we can have that open again. There is another Boy Scout interested in an Eagle Scout Project and we have a couple more sets of railings that need replaced north of Sarver. We are just waiting to hear from him to see if he is going to take on one of those projects. We have scheduled our 16th Annual Half Marathon for October 16th. We are planning on doing what we usually do. We put stone in the parking lot in Sarver so there are not any potholes anymore. We pushed our quarterly meeting into March. We had done that match campaign for the Caboose and we raised enough to get all the rough spots on it taken care of and repainted as soon as the weather allows. That turned out to be a great project and the community loved it.

Ken Howard stated that since we are talking about the trail, we did have our first planning meeting with the DCNR regarding the Grant that Buffalo Township received for the repaving of the trail from Marwood Road to Winfield Road. You have been awarded and will be able to pave the trail and 2 parking areas. Albert asked what the dollar match amount was and Ken answered around \$67,000.00. Chris stated that they will be contributing to help with that match. Ken stated that the amount of Grant money that will be received is \$263,000.00.

REMARKS FROM THE FLOOR:

Amanda Peterson with PennEnergy Resources was in attendance and stated that she wanted to introduce herself. She is the new Stakeholder Relations Manager and has been on board since September. So anytime we have acreage or operations or potential operations in the township I just like to reach out. I have spoke with Rhonda several times and forwarded my contact information on to Janice as well. If anyone has any questions or concerns, please feel free to reach out to me.

Cathy Burnheimer & Jessica Krynicki were in attendance regarding there plans with the Old Peter B's. They have purchased it and are turning it into a Wedding Venue. They asked if there is anything that they need to provide? Ron asked if they got the appropriate permits? They stated that they were told since they were doing minor changes to the inside that they did not need any. Ron replied that you will eventually need and Occupancy Permit. It sounds like you are definitely changing the use. Changing a bar to a venue for Weddings. Atty. Farrington asked them to contact him and gave them his number. This is just to make sure you are doing everything properly. We will be opening our doors June 1st.

**BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING VIA VIDEO CONFERENCE –
FEBRUARY 10, 2021**

ADJOURNMENT was on motion of Gary Risch, seconded by Michael Oehling, at 8:30 p.m. Motion Carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY/TREASURER