

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

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, March 10, 2021, via video conference and convened at 7:30 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) The Board of Supervisors met at the Township Building to discuss personnel matters on Tuesday, Mar. 2.
- b) The Board of Supervisors met for an Executive Session via video conference with their Solicitor to discuss personnel matters on Wednesday, Mar. 10.

PUBLIC COMMENTS ON AGENDA ITEMS

APPROVAL OF THE MINUTES of the February 3, 2021, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Matt Sweeney, seconded by Albert Roenigk. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for February 1-28, 2021 inclusive for audit, was on motion of Michael Oehling, seconded by Matt Sweeney. Motion Carried. Un. Approval.

MONTHLY BILLS

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

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REPORTS

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

- **FEBRUARY 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):

- **FEBRUARY 2021:** Earned Income Tax is \$162,108.68, Local Services Tax is \$16,547.71

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

- **FEBRUARY 2021:** Twp. share: \$130.00

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

- **FEBRUARY 2021:** \$13,599.97

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

- **FEBRUARY 2021:** 8 Permits Issued, 1 Single Family Residences, 1 Solar Panels, 1 Demolition
2 Pools, 2 Porch/Decks/Roof, 1 Grading Permits, Building Permit Fee: \$1,240.10,
Mileage: 100, Grading Permit Fee: \$100.00, Lot Development Fund: \$0.00

(6) THE DISTRICT JUSTICE’S REPORT:

- **FEBRUARY 2021:** Ordinance & Statute Violations \$1,323.19, Code Violations \$93.02

(7) BUFFALO TWP. POLICE REPORT

- **FEBRUARY 2021:** Total calls 117

OLD BUSINESS

NEW BUSINESS

MOTION TO APPROVE TOWNSHIP SHARE OF TAX COLLECTOR AUDIT

On a motion of Michael Oehling, seconded by Albert Roenigk to approve Townships share of Tax Collector Audit. Motion Carried. Un. Approval.

POSSIBLE MOTION TO PAY REGISTRATION FEES AND EXPENSES FOR THOSE OFFICIALS ATTENDING THE 2021 SPRING CONVENTION

Ron Zampogna stated that the Spring Convention has been cancelled due to Covid Restrictions. No action taken.

MOTION TO SET DATE FOR 2021 SPRING ROAD TOUR

Ron Zampogna stated that this is something that the Supervisors do every year and we take the Road Master with us. We check the township roads and see where we can make improvement and upgrades. Matt Sweeny suggested, Sunday April 11, 2021 at 8:00 am, meet at the Township Building.

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On a motion of Michael Oehling, seconded by Matt Sweeny to set date for the 2021 Spring Road Tour for Sunday, April 11, 2021 at 8:00 am. Motion Carried. Un. Approval.

APPROVAL FOR THE ADVERTISING OF BIDS FOR ROAD REPAIRS BY SUBCONTRACTORS

On a motion of Michael Oehling, seconded by to approve advertising of bids for road repairs by subcontractors. Motion Carried. Un. Approval.

MOTION TO BUY NEW PAYLOADER

Ron Zampogna stated that we have been discussing how old the equipment is for some time now and met with salesman last week. We have found a 2020 John Deere 524L Wheel Loader. It is an expensive item. The equipment we have now is old and we have had to put a lot of money out to fix it. It is \$168,975.00 and with trade in of our old machine that is 21 years old we can get the price down to \$128,975.00 which is still a lot but they are giving us a trade in of \$40,000.00. We will be purchasing it through Costars. Bob Fletcher stated that it is a nice machine. Gary Risch stated that the payloader is the heart and soul of the Township. It get used a lot. Ron stated that we are looking at either a payment plan or possibly making one large payment per year. Liquid fuels money can be used. Janice asked if she could check with FNB about possible financing. The Board agreed with Janice to check with FNB.

On a motion of Gary Risch, seconded by Michael Oehling to approve purchase of a new Payloader. Motion Carried. Un. Approval.

MOTION TO BUY TRACTOR WITH MOWER

Ron stated that the Massey is also the heart and soul of the Township especially in the spring and summer. The Massey we have now is 40 years old. Although it still runs, we are in need of an upgrade. A new Massey will cost \$55,000.00 and the mower would cost \$36,00.00. So, it would cost us approximately \$91,000.00 for both. These will be purchased through Costars as well. Ron stated that we are looking at purchasing these with cash. Janice Zubrin agreed to pay with cash.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve purchase of a Tractor with Mower in the cash payment amount of \$91,417.72. Motion Carried. Un. Approval.

MOTION REGARDING PARKS & RECREATION COMMITTEE

On a motion of Albert Roenigk, seconded by Michael Oehling to table discussion regarding the Parks & Recreation Committee until all information is received. Motion Carried. Un. Approval.

MOTION REGARDING FRIENDS OF BUFFALO TOWNSHIP

On a motion of Matt Sweeny, seconded by Albert Roenigk to table discussion regarding the Friends of Buffalo Township Committee until all information is received. Motion Carried. Un. Approval.

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MOTION TO APPOINT BUFFALO TOWNSHIP ROAD MASTER

Ron Zampogna stated that we recently had our long-standing Road Master John Gaydos retire. When he retired, Bob Fletcher took over as interim Road Master. He has done that for the last year or so. Bob stated since last February. We left Bob take over as interim and feel that he did an excellent job leading the group and at this time we are going to promote him to full time Road Master.

On a motion of Albert Roenigk, seconded by Michael Oehling to appoint Robert Fletcher as Buffalo Township Road Master. Motion Carried. Un. Approval.

Ron Zampogna congratulated Bob and stated that they appreciate everything he has been doing. Bob thanked the Board for the vote of confidence and stated that he hopes to do the Township proud. He really loves this township and is always looking for something to make it better. Michael Oehling stated that Bob is doing a fantastic job and thanked him.

LAND DEVELOPMENT

HILLIARD – 142 DOYLE ROAD – LOT LINE REVISION

Jones Consultants is proposing a Lot Line Revision for property located at 142 Doyle Road. The proposed project is to add 0.50 acres to existing Lot 040-1F05-15A2 from a larger tract of land Lot 040-1F05-15A. The properties are owned by Dale Hilliard.

The Township office is in receipt of the Lot Line Revision Application, Filing Fee, Copies of the plan, Butler County Planning Commission comment letter received 2/18/2021; BCPC did not have any comments on this plan; Municipal Authority comment letter received 2/9/21; Public water and sewage service currently exist to both properties. The lot line revision request will not impact service; Bankson Engineer comment letter received 2/18/21; We recommend approval of the subject Lot Line Revision Plan may be granted at this time. Planning Commission comments received 3/3/21.

Ken Howard stated that the plan as presented does meet the township Ordinances and we have reviewed the plan, it is acceptable. Jones Consulting did a great job of preparing the drawing and we commend their surveyor. We would recommend the plan be approved as presented.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve as presented the Hilliard Lot Line Revision. Motion Carried. Un. Approval.

HERITAGE CROSSING PLAN – SANDY RIDGE DRIVE - SIGNAGE

Heritage Crossing Partners, LP is proposing a sign at the entrance to the Heritage Crossing Plan which will be located along Sandy Ridge Drive beside the Clubhouse.

The Township office is in receipt of the Sign Application, plans, Butler County Planning Commission comments; Emailed to Butler County Planning Commission 2/22/21; Municipal Authority comment letter received 2/9/21; The signage depicted in the plans appear to be at least 10 feet from the water and sewer mans, which is acceptable to the Authority; Bankson Engineer comment letter

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received 2/18/21; We recommend that Approval of the proposed sign for the subject project may be granted at this time. Planning Commission comments received 3/3/21.

Ken Howard stated that Heritage Crossing Partners desires to post a sign at the entrance of the Heritage Crossing Plan. Once you come in behind the Get Go Gas Station they are purposing a brick structure sign on the left side of the road. The sign does meet the Ordinance requirements and we recommend it be approved as presented.

On a motion of Albert Roenigk, seconded by Matt Sweeny to approve as presented the Heritage Crossing Plan Signage. Motion Carried. Un Approval.

PROPOSED AMENDMENT #5 TO ZONING ORDINANCE #135

Todd & April Nussbaumer along with their Counsel Benjamin B. Levine, Esq. and Benjamin Levine Law, LLC are proposing a Zoning Change of property located at 808 South Pike Road, Sarver, PA 16055. The 0.86 acres of property is presently Zoned R-2 Residential District and the proposed Zoning is B-1 Business District. The property is owned by Mary Costan and is currently vacant. The proposed use of the property would be a Plumbing Business. Letter of withdrawal received from Atty. Benjamin Levine, Monday, March 1, 2021.

The Township office is in receipt of the Petition for the Amendment for Zoning Change, Filing Fee, Deed of property still needed, Map showing location, List of property owners within 300', Butler County Planning Commission comment letter received 1/15/21; BCPC had no comments on this request. Municipal Authority comment letter received 2/18/21; Public water and sewer service exist to the current structure on this property. As noted in the Petition for Amendment of Zoning Ordinance, if the possible buyer intends to construct an additional building requiring public water and sewage service, the possible buyer must contact the Authority prior to construction. The possible buyer is advised that inspections and additional fees may apply; Bankson Engineer comment letter received 2/10/21. Planning Commission did not make a motion regarding this plan at their 3/3/21 Meeting.

Ron Zampogna stated that this item was regarding Mr. & Mrs. Nussbaumer's request to rezone the property at 808 S. Pike Road for their business. Since this was put on the Agenda, they have withdrawn their application. No action will be taken on this item. Atty. Farrington suggested that the Board make a motion on this item that it was denied by way of withdrawal letter received March 1, 2021.

On a motion of Albert Roenigk, seconded by Matt Sweeny to deny by way of withdrawal letter received March 1, 2021, the Proposed Amendment #5 to Zoning Ordinance #135 – 808 South Pike Road. Motion Carried. Un. Approval.

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SPC REALTY – ARBY’S RESTAURANT - FINAL SITE/LOT LINE CONSOLIDATION PLAN –
704 SOUTH PIKE ROAD

Liadis Engineering & Surveying, Inc. is submitting a proposal for SPC Realty’s redevelopment of the existing Citgo Gas Station property located at 704 South Pike Road (Route 356). The redevelopment of this site shall change the use of this site to an Arby’s Restaurant. This property is currently zoned as B-1 Business District. The use of this site for a restaurant is a permitted use under this zone, falling under the designation of “Eating/Drinking Places”. The site also falls under the A-2 Access Management Overlay Zoning District. This property is not very deep having only 155 feet from the road right of way line to the rear property line. Given a 100-foot front setback and a 20 feet rear setback, this results in having only 35 feet of depth within the building envelope. In a commercial area this depth is very restrictive. The Aqua Jet Car Wash building located adjacent and to the north of this property, is set back from the road right of way approximately 65 feet and the proposed Arby’s building is setback approximately 70 feet. The proposed setback for the Arby’s building exceeds the existing Access Management Overlay Zoning District qualifies for the permitted allowance for a reduced setback for this site. We are aware of the proposed widening project of SR 356 and have had multiple conversations and exchanges of information with PennDOT on this matter. We are also aware there is widening of the right of way for SR 356 proposed. Again, based on conversations due to topographic differences PennDOT is currently anticipating all the anticipated right of way acquisition will be locate on the east side of the road, opposite from this property. This site plan currently before the Board was also provided to Eric Buchan, the PennDOT Manager for the SR 356 project. Consolidation of Tax Parcels 040-1F05-2D30 and 040-1F05-2D31 into a single lot for proposed redevelopment of the existing Citgo Gas Station.

The Township office is in receipt of the Site Plan/Lot Consolidation Application, the Site Plan/Lot Consolidation filing fee, Site/Lot Consolidation plans, Butler County Planning Commission Comments received 11/19/2020; BCPC did not have any comments on this plan, Municipal Authority Comments received 11/23/2020; Public water and sewage service currently exist to this property. The Developer is advised to review the Authority’s specifications and Rules for Service at www.buffaloauthority.org or call the Authority office with questions, Bankson Engineer revised comments received 3/1/21.

Ken Howard stated that the Arby’s Site Plan has been presented for SPC Realty by Liadis Engineering’s Mr. Dave Kalina. We are satisfied with everything that they have presented the past few months. They have met your Ordinance requirements and we are satisfied with their drawings. Tonight, we would recommend the approval of two items which will both need approved by the Board tonight. One would be the Final Site plan with contingencies and the other would be the approval of the Lot Line Consolidation. Albert Roenigk asked if the connectivity has been designated on the plan and Ken Howard answered. Matt Sweeny asked if they received approval for the right in/right out for this plan or is this an all access? Ken answered that it will be an all access. They coordinated this with PennDOT. There will be a turning lane and it will be a full access driveway. Dave Kalina was present.

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On a motion of Matt Sweeny, seconded by Albert Roenigk to approve the SPC Realty, Arby's Restaurant Final Site Plan contingent upon obtaining all the necessary permits. Motion Carried. Un. Approval.

On a motion of Matt Sweeny, seconded by Albert Roenigk to approve the SPC Realty, Arby's Restaurant Lot Line Consolidation. Motion Carried. Un. Approval.

REMARKS FROM THE FLOOR:

Chris Zeigler, President of the Trail Council gave an update regarding the Butler-Freeport Community Trail. We are planning of proceeding with our Half Marathon in October. We will be having a Bike Swap on April 24th from 11-2 in Cabot and the Caboose will be open. We are getting the Caboose ready for bodywork and painting this spring. We have had a couple of really nice days so the trail has been crazy busy. We are already having issues with horses on the trail which is still a big problem. Ron stated no horses on the trail.

Jim Bonner with the Audubon Society gave a PowerPoint presentation regarding the Buffalo Creek Nature Park and shared some information. The new name will be Buffalo Creek Nature Park and Babcock Nature Center since there was a \$500,000.00 donation given. The Ribbon cutting ceremony will be Saturday, June 12, 2021 at 10:00 am. If you would like to see the plans for the new Nature Park it will be on their website.

Tom & Linda Waynar of Shook Drive were present and asked Atty. Farrington questions regarding the Nussbaumer issue and if there were any updates. Atty. Farrington stated that the Township's file was sent to the Court of Common Pleas by Rhonda Swartz and the hearing is to be held on April 12, 2021.

ADJOURNMENT was on motion of Matt Sweeny, seconded by Michael Oehling, at 8:45 p.m. Motion Carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY/TREASURER