

BUFFALO TOWNSHIP SUPERVISORS – REGULAR MONTHLY MEETING – OCTOBER 13, 2021

The Regular Monthly Meeting of the Buffalo Township Board of Supervisors was held Wednesday, October 13, 2021 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	Absent
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) Ron Zampogna, Chairman of the Board of Supervisors, Ken Howard, Township Engineer, Atty. Brian Farrington, Township Solicitor and Janice L. Zubrin, Township Secretary/Treasurer met via Microsoft Video Conference regarding Twin Oaks Development Weaver Homes Senior Living on Wednesday, Oct. 6.
- b) The Board of Supervisors and Janice L. Zubrin, Township Secretary/Treasurer, Chief Tim Derringer and Bob Fletcher, Roadmaster met in the Township Building for the 2022 Proposed Budget of All Funds Oct. 10.
- c) The Board of Supervisors met for an Executive Session at the Township Building with their Solicitor and Township Engineer to discuss personnel matters on Wednesday, Oct. 13.

APPROVAL OF THE MINUTES of the September 8, 2021, Regular Monthly Meeting of the Buffalo Township Board of Supervisors, as recorded, was on motion of Gary Risch, seconded by Michael Oehling. Motion Carried. Un. Approval.

ACCEPTANCE OF THE TREASURER’S REPORT for September 1-30, 2021 inclusive for audit, was on motion of Gary Risch, seconded by Albert Roenigk. Motion Carried. Un. Approval.

MONTHLY BILLS

After reviewing invoices and bills presented for payment, it was on motion of Michael Oehling, seconded by Gary Risch, to pay the monthly bills. Motion Carried. Un. Approval.

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REPORTS

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

- **SEPTEMBER 2021:** Twp. Real Estate Tax is \$1,552.92, Per Capita @ Discount is \$0.00, Per Capita @ Face \$0.00, Per Capita @ Penalty \$308.00, Exonerations 000

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

- **SEPTEMBER 2021:** Earned Income Tax is \$137,016.47, Local Services Tax is \$0.00

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

- **SEPTEMBER 2021:** Twp. share: \$144.47

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

- **SEPTEMBER 2021:** \$20,001.67

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

- **SEPTEMBER 2021:** 12 Permits Issued, 3 Single Family Residences, 1 Barn, 2 Res. Storage, 2 Decks/Porches/Roof, 0 Commercial Bldg., 4 Grading Permits, Building Permit Fee: \$3,092.80, Mileage: 100, Grading Permit Fee: \$150.00, Lot Development Fund: \$0.00

(6) THE DISTRICT JUSTICE’S REPORT:

- **SEPTEMBER 2021:** Ordinance & Statute Violations \$334.88, Code Violations \$214.50

(7) BUFFALO TWP. POLICE REPORT

- **SEPTEMBER 2021:** Total calls 196

OLD BUSINESS

NEW BUSINESS

Atty. Farrington spoke regarding 2 items that were not on tonight’s Agenda that was posted on line and distributed this evening and stated that these items came in within 24 hours of the approved Agenda. Both of them are for the final approval for the funding and application to the state for certain grants. There will be 2 separate items that will need a motion to add to the Agenda and a motion for them to be adopted.

ADDITION: Addition of New Business #10: Resolution #2021-12 – Butler-Freeport Community Trail Streambank Stabilization Project

On a motion by Michael Oehling, seconded by Albert Roenigk to add Butler-Freeport Community Trail Streambank Stabilization Project Resolution #2021-12 to the Agenda. Motion Carried. Un. Approval.

Atty. Farrington stated that the set aside funding is in the amount of \$749,500.00. Chris Zeigler stated that there is no match for the Township except that they have to pay for the cost of the design work and PennDOT will pay the rest.

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ADDITION: Addition of New Business #11: Resolution #2021-13 – Harvey Road Slide Repair and Culvert Rehabilitation Project

On a motion by Gary Risch, seconded by Albert Roenigk to add Harvey Road Slide Repair and Culvert Rehabilitation Project Resolution #2021-13 to the Agenda. Motion Carried. Un. Approval.

Atty. Farrington stated that this grant is in the amount of \$333,075.00 and the Township match is in the amount of \$99,925.00. So the total grant amount is \$433,000.00.

MOTION TO APPROVE PURCHASING ANTI-SKID TYPE “3A” AS NEEDED - APPROVED

On a motion of Gary Risch seconded by Albert Roenigk to approve the purchase of Anti-Skid Type “3A” as needed. Motion Carried. Un. Approval.

MOTION TO APPROVE PURCHASING APPROXIMATELY 2,000 TON ROCK SALT FOR CONTRACT PERIOD 2021-2022 - APPROVED

On a motion of Gary Risch seconded by Michael Oehling to purchase approximately 2,000 ton of Rock Salt thru Costars for \$57.91 per ton from Compass Minerals America Inc. Motion Carried. Un. Approval.

MOTION TO ADVERTISE THE 2022 PROPOSED BUDGET OF FUNDS PRESENTATION AND ADOPTION - APPROVED

Ron stated that we had our Budget Workshop this past Sunday and the Budget for the upcoming year will be approximately \$2.8 million and continues to grow every year. We will advertise it for adoption. The presentation will take place on Wednesday, November 10th, 2021 at 7:30 pm and the adoption will take place on Wednesday, December 8th, 2021 at 7:30 pm both will be during the Board of Supervisors Regular Monthly Meeting.

On a motion of Gary Risch, seconded by Michael Oehling to approve advertising the 2022 Proposed Budget of All Funds Presentation and Adoption. Motion Carried. Un. Approval.

POSSIBLE MOTION TO APPLY FOR A TAX ANTICIPATION LOAN FOR 2022- APPROVED

Ron stated that this is something we do so annually. It is a back drop as we wait for the tax money to come in. The Tax Anticipation Loan is through First National Bank and is in the amount of \$200,000.00. Janice exercises it and we pay it off immediately.

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On a motion of Albert Roenigk, seconded by Gary Risch to approve applying for a Tax Anticipation Loan for 2022 through First National Bank in the amount of \$200,000.00. Motion Carried. Un. Approval.

MOTION TO APPROVE ADVERTISING THE BOARDS INTENT TO CONTRACT WITH A CPA FOR THE 2021 AUDIT-APPROVED

Ron stated we have been using Mr. Hill and his firm for years and they seem to do a good job, correct Mr. Risch? Gary replied, yes.

On a motion of Gary Risch, seconded by Michael Oehling to approve advertising the Boards intent to contract with a CPA for the 2021 Audit. Motion Carried. Un. Approval.

REQUEST FROM THE FREEPORT GIRLS BASKETBALL BOOSTER FOR PERMISSION TO USE THE BUTLER-FREEPORT COMMUNITY TRAIL FOR THEIR ANNUAL HALL-O-WEEN HUSTLE 5K/10K RACE ON SATURDAY, OCTOBER 30, 2021 AT 9:00 AM BEGINNING AND ENDING AT THE MONROE ROAD TRAILHEAD - APPROVED

Ron Zampogna asked if a representative was in attendance for this event and no one replied. Ron asked Chris Zeigler if there are any conflicts with this date? Chris replied no but asked if the Township had received a Waiver yet. Ron asked if anyone had signed a Waiver. So, there is no issue with them using the trail as long as they sign the Waiver and provide the Township with proof of insurance and make sure that the Township and the Trail Council are listed. Ron asked Rhonda to make sure that the Waiver is signed.

On a motion of Albert Roenigk, seconded by Michael Oehling to approve the Freeport Girls Basketball Boosters use of the Butler-Freeport Community Trail for their Annual Hall-o-ween Hustle contingent upon signing the Waiver and providing the Township with proof of insurance. Motion Carried. Un. Approval.

DISCUSSION OF THE DEP – MSR – MUNICIPAL SEPARATE STORM SEWER SYSTEM PROJECT BY TJ STEPHENS WITH BANKSON ENGINEERS

TJ Stephens with Bankson Engineers was in attendance to share information regarding the DEP – MS4 – Municipal Separate Storm Sewer System, Educational Report and Solicitation for Participation. The 2021 MS4 Annual Report was submitted to the DEP on September 27, 2021. Over the last year, a total of 44 outfalls were inspected. Once water leak was discovered, and notification of the Municipal Authority resulted in the leak being repaired. No other illicit discharges were discovered. In May 2021, a letter with educational materials was mailed to all parties on the Target Audience List which includes schools, municipal officials, developers, local organizations, religious institutions, media, utilities, businesses, and contractors. The goals of the mailing were to achieve measurable improvements in the

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Target Audience's understanding of the causes and impacts of stormwater pollution, steps that can be taken to prevent it, and to solicit public involvement and participation in implementing the Township's Stormwater Management Program (SWMP). Over the last year, Bankson Engineers, Inc. has kept track of all grading permits issued and has performed inspections of approximately 83 facilities. We have also been performing updates on the MS4 Storm Sewer Maps. Over the last year, the Township road crew has kept track of operations maintenance and good housekeeping efforts regarding MS4 Stormwater related items. In May, 2021 educational material was distributed to the road crew personnel for employee training regarding MS4 related items. On September 21, 2021, the Township received by email a DEP Data Audit Report with a review of the September 29, 2020 MS4 Annual Report. DEP has requested additional data be provided with documentation of certain elements in the Township SWMP. Our office will prepare a response to this audit. The PRP Plan was finalized on August 14, 2019 and was submitted to DEP. The PRP has not been approved by DEP yet. The MS4 Permit Renewal was submitted to DEP on October 21, 2019. The permit renewal has not been approved by DEP yet. Today we are presenting an overview and handout with detailed of MCM 31: Public Education and Outreach Program (PEOP). MM #1 Handout distributed to audience. Input is being solicited from any and all parties at the meeting and a sign-up sheet was passed around to all in attendance.

Ron Zampogna stated that Bankson will submit the paperwork on behalf of the township and if the constituents have any feed back that goes toward credit for our MS4 requirements as some of you may know from the past we have a lot of requirements for MS4. One of the requirements helps us and Bankson helps us get toward in a manner that is efficient for us is speaking about it monthly and getting input from the constituents or Planning Commission or the Supervisors. It helps the process go forward. We actually have and are still waiting for permit to start the work. Bob Fletcher, Township Roadmaster is aware of this permit and we will have to start going into certain plans and cleaning out the sediment in their retention ponds and storm basins. Bob stated that we have to keep track of the tonnage for the DEP. We are trying to keep our streams safe. Ron replied and if we don't comply then fines will be levied to the Township. Bankson Engineers helps us comply with all of this. TJ stated that as part our obligations with respect to this permit we are asked to engage with the public and inform the public about stormwater management. The issues that occur when the streams get flooded and the sediment reaches these streams. As part of the permitting there is 6 subsections and the first 2 are related to Public Outreach and Public Education. What our office and the Township tries to do is provide educational materials to the Public to help them understand the obligations that the Township and the residents have in regard to stormwater. There was a sign in sheet floating around. If you didn't sign it, please do. If you have any questions or comments of what is going to be expected of Buffalo Township, please feel free to direct them to Ron or Bankson Engineers. My name is TJ Stephens and I work closely with Ken Howard who was unable to be here at the last minute. Ouch stated that TJ didn't know he was going to be here until last minute because Ken had a family matter that came up. Ron asked if anyone has any questions. Paul Gentile of 112 Woodhaven Drive asked how the township is going to address these items. We have an issue that we would very much like taken care of. How do we go about addressing this? TJ stated that this document was sent to the DEP back in August of 2019. We have not received any comments or feedback from them at this point to my knowledge. The plan has not been approved at this point. So once the plan is approved, the township will then have to complete this plan

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in a 5-year window. Kim Gentile asked if it typically takes this long? Ron stated that this could be due to Covid and TJ stated it is extenuating circumstances. Ron stated we are waiting on the permit and that Ken briefs us on it monthly. I think it is a combination of it being newer and the Covid protocol. TJ stated that the DEP is still working from home. Gary Risch stated that the MS4 is something they shoved down our throats and we really don't want to do it but they are making us do it. There may be some government hold up on it because at the convention 2 years ago it was a big topic because they were making us do it and trying to get us money to do it. Which with politics the way they are who knows, they may do away with the MS4. Ron asked Kim did you ask when you thought we might get it and she replied, I wondered what the timeline is. Ron said that was something we asked Ken and he basically said he had no idea. When that time does come and TJ says hey, you're on the clock then we have to spend some money and we aren't looking forward to do that. John Haven stated that he has a friend at the DEP by the name of John Green that he could get in touch with to see what the hold up is. Ron replied, thank you but we will just let Bankson take care of this. Brian agreed. TJ said we could reach out to him and see what he has to say. Ron thanked Mr. Haven. Kim said is this the time for us to talk or should we just wait until the end of the meeting to discuss our concerns. Ron stated, yes, if you wouldn't mind waiting until the end. Rachael Heeter, 111 Doyle Road with Mr. Wyatt's class at Freeport HS asked if there is a time stamp regarding stormwater management? Is it going to be a 5-year window or will it be more or less than that? TJ replied are you specifically asking about the projects the township is going to undertake. Rachael replied, yes. TJ replied, under the Pollution Reduction Plan you have expectations that the project that are outlined in the plan are in a 5-year window. Once the plan is approved by the department and the township. The Township will be expected to complete that plan in 5 years. Colton Mell, 457 Monroe Road with Mr. Wyatt's class asked if the MS4 Project is new to this all together or new to this region? TJ answered, you are speaking in entirety of the MS4 Program. Colton replied, yes. TJ stated in terms of the history of it, I'm not entirely sure. Ron replied that he thinks that Mr. Howard and Mr. Stephens introduced this to us in 2018 and it was mandated by the DEP. Albert Roenigk stated that he thinks it's been longer than that. We were one of the first in Butler County. Atty. Brian Farrington added that the way that MS4 will work is that the way it started in what the state would consider to be urbanized or semi urbanized areas. Those are concentrated on larger cities like Pittsburgh. As Pittsburgh and the surrounding suburbs have grown the state has imposed these MS4 requirements on more and more Municipalities. If you would cross over to Cranberry Township, they would have the requirements there but as you get further and further away from urbanized areas they do not have to comply with the MS4 requirements. Essentially what they are trying to do is to localize the pollutants that larger neighborhoods and retail developments would be putting into the water and scale that back. So, there is no need for them to impose these requirements on rural areas. Colton Mell asked so for the MS4 Project you said there would be educational implications. Would that go into the Freeport School? TJ replied, I believe so. At the beginning of the study, the township had to comprise what they call a target audience list. To answer your question, members of the target audience list have been receiving information for the past few years. This information is also on the township website. Ron stated that Bankson comprised a list of where we will be implementing the work. Bob Fletcher, Roadmaster stated that we have pamphlets that were passed out in the beginning. We have taken a bunch of settlement out of Buffalo Trails last year. There were volunteers that went out and labeled the

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catch basins and man holes in some of the housing plans. Colton asked Ron if there is a plan if approved. Ron replied that we have a target list of potential scopes of work in different areas. TJ stated that the projects documented in the Pollutant Reduction Plan are the projects that the township would be completing in that 5-year window so that they can be in compliance. Bob Fletcher shared more information. Paul Gentile spoke regarding the PRP and if the projects in the plan are still going to be on the list. TJ shared more information regarding the plan. Rachael Heeter asked for an example of one of the projects that will take place once the permit is received by the township. TJ replied and gave several examples of where storm water management infrastructure ponds and channels could be retrofit and cleaned up by the township to get credit for doing this. Ron replied in addition to what Mr. Stephens was saying, I will use Woodbury Plan as an example. When that plan was built many years ago, the pond could have been from here to the ground deep and now it could be filled up $\frac{3}{4}$ of the way and almost make the pond like new again. Sediment is going to build up over time and Bob, TJ and Ron shared how they are planning on taking care of this in the future once the Permit is in hand.

MOTION TO ADVERTISE AMENDMENT 3, RESOLUTION #2021-11 TO THE BUFFALO TOWNSHIP POLICE PENSION FUND PROVIDING AN OPTION FOR EARLY RETIREMENT - APPROVED

Atty. Brian Farrington stated that this was adopted in 2007 and has been amended 2 other times. This Amendment #3 is changing the time of early retirement from 25 years to 20 years. We will have to advertise this and make a motion at the next meeting to formally adopt.

On a motion of Gary Risch, seconded by Albert Roenigk to advertise Amendment 3, Resolution #2021-11 to the Buffalo Township Police Pension Fund providing an option for early retirement. Motion Carried. Un. Approval.

REQUEST FROM PARKS & RECREATION COMMITTEE TO HOST A RECOGNITION CEREMONY FOR FIRST RESPONDERS, POLICE, AND FIRE COMPANIES AT SOUTH PIKE SQUARE ON SATURDAY, OCTOBER 23, 2021 FROM 10:00-11:00 AM – REMOVED FROM AGENDA

Ron Zampogna stated that due to scheduling conflicts with the First Responders, the event is being postponed to a later date and time. Michael Oehling stated that one of our Fire Departments had a scheduling conflict but we are looking forward to having a recognition ceremony soon because they deserve to be recognized for all that they do for our community.

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MOTION TO ADOPT RESOLUTION #2021-12 BUTLER-FREEPORT TRAIL STREAMBANK RESTORATION PROJECT – ADOPTED

On a motion by Gary Risch, seconded by Albert Roenigk to adopt Resolution #2021-12 Butler-Freeport Streambank Restoration Project. Motion Carried. Un. Approval.

MOTION TO ADOPT RESOLUTION #2021-13 HARVEY ROAD SLIDE REPAIR AND CULVERT REHABILITATION PROJECT – ADOPTED

On a motion by Gary Risch, seconded by Albert Roenigk to adopt Resolution #2021-13 Harvey Road Slide Repair and Culvert Rehabilitation Project. Motion Carried. Un. Approval.

LAND DEVELOPMENT

No Land Development items.

REMARKS FROM THE FLOOR:

Chris Zeigler, President of the Trail Council gave an update regarding the Butler-Freeport Community Trail. The Caboose open house is October 30, 2021 from 10:00 am to 3:00 pm. It will be decorated on the inside and outside. Kids can dress up if they wish. There was a workday last weekend. We worked on 2 more sets of gates and the Wye we mulched and installed a Memorial Tree and a Memorial Bench. Thanks to Woodmen of the World and Gilly's Bike Shop. We participated in the first Buffalo Creek Water Festival and there were about 500 people that attended. It was a great first event. Our new brochures are in and you can find them along the trail and I will drop some off at the Township Building. The Half Marathon is this Saturday, October 16th, 2021. We capped at 750 and sold out 3 weeks ago. Ron stated that there is a potential issue at the bottom of Bear Creek Road and asked if she could look into putting a gate in that area. Chris replied she is aware and is looking into it and stated that our ultimate goal is to replace all of them and put gates in where there aren't any. Ron asked Chris to keep him posted with the cost and the Township can possibly help with the cost. Chris replied the more of the center bollards that I order the better because delivery is \$250.00 whether you purchase 1 or 10. It is better if you order 10.

Kristy Donaldson, Manager of the Municipal Authority of Buffalo Township gave an update regarding a survey that was provided to the residents living near the PennEnergy Well Site. She stated, "At the request of several residents and with the help of a couple of residents in attendance, the Municipal Authority of Buffalo township sent out a water interest survey to residents living in the area of Crescent Hill Drive, Kimberly Drive, Carol Drive, Sunny Lane and portions of Sarver Road. There were 82 surveys mailed and out of those 82 surveys, 74 were received back. 12 out of the 74 said no to public water, 62 out of the 74 said yes to public water and of the respondents who said yes, 62 out of 62 said yes, if the project is funded at 50%, 52 out of 62 said yes, if the project is funded at 25% and 35 out of 62 said yes if no funding is available. The project estimate is approximately \$672,000.00. If the project

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receives 25% funding, or approximately \$168,000.00, then the project would cost approximately \$504,000.00. If the project receives 50% funding the project cost would each be approximately \$336,000.00. The next step is to discuss this with our Authority Board at our meeting Thursday, October 21st, 2021. I know there has been some discussion about the Township offering a grant to the Authority for this project. I realize that decision has not been made yet, and I respect that . I will contact you (the Board of Supervisors) soon.”

Evelyn Callender, 122 Crescent Hill Drive stated that one of the residents in her area had a question regarding the Pennvest application that the township submits to the state to get water, if it had been sent yet? Gary Risch stated that is a question for the Water Authority. Atty. Farrington stated that this is a little premature at this time. I don't believe we are at the stage that anyone is sending the Pennvest Applications in at this point.

BJ Tipton, 111 Chesterfield Drive stated he is having an issue with water draining onto his property from Chesterfield Dr. I sent an email and I am not sure if everyone had a chance to review it yet. Ron replied, we have. BJ shared some of the issues with the Board of Supervisors. TJ Stephens stated that they have reviewed the subdivision plan from when the development was originally built. The township does not have authority to go onto private land. In my opinion, Buffalo Township does not have any jurisdiction to go onto private property and install a storm water facilities that are not in the public right of way. Atty. Farrington replied that he feels that this is a private issue and I understand that this if frustrating. The Township does not have authority or is it good practice to go down the slippery slope of remedying storm water issues especially when it is on private property. BJ asked isn't the township responsible for the water coming off of the roadway? Atty. Farrington stated that so when the plan was originally adopted there was a storm water plan that was designed to standards that are set forth by the state. As long as the plans are designed to those standards, what happens then is the responsibility goes to one of three places. The Township which was not assumed in this circumstance, a Home Owners Association, or the land owner on whom this water is being discharged. I believe that without knowing anything about the Chesterfield plan in general, it is not the Township's responsibility so it is either your HOA or the land owners responsibility. BJ stated since this is my property I can do whatever I want so what is keeping me from plugging and capping that pipe off. It's my property, so I can do whatever I want. The water is not developing on my property. Atty. Farrington stated that is about a 300-year question as to what the riparian rights are and how much you can modify water without going through state and local approval. Obviously if you would stop up the water it would flow back onto the township road and neighboring properties and this could cause damage which would then be your responsibility. I am not trying to be the bearer of bad news but this is not something that the Township has authority to take action on. BJ asked if maybe we could compromise if I put pipe in there? What are my options? Atty. Farrington stated that is something I can not advise you on that course because that would be providing legal advice on a private basis and sitting here as the Township Solicitor I cannot do that. What I will tell you is that whatever modification of storm water within Buffalo Township is subject to Buffalo Township Storm water modification ordinance would have to go through approval of the Township and Bankson Engineers. TJ stated that he would be amending an approved and recognized storm water management plan within the Township and the Commonwealth of

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Pennsylvania by either capping off that pipe impeding the flow. Whether or not the Department recognizes that channel as a stream there could be ramifications for making improvements to a recognized service channel. Atty. Farrington stated that as far as the Township is concerned, it cannot do anything but that does not mean you cannot try and fix the issue on a private basis. There are ways you could remedy that issue but that is something that the Township would have no rule in other than approving the storm water management plan and any permitting for that modification. BJ asked if he would purchase the pipe and connect the pipes together so it drains properly, would the township be able to fill the ditch in? Could there be a compromise if I pay for the pipe and you bring in the dirt and fill the ditch in? Atty. Farrington stated that I would advise the Board that they cannot give an answer to that. That would be a conversation that we would have to have with an Engineer involved where an Engineer would present a plan to us that would meet the requirements of the SWM Ordinance and the Township can't deal with that responsibility with private individuals unless there is some responsibility on the Townships part. Ron Zampogna stated that I don't want to sit up here and look like we are not willing to help you because that is not the case. I think more in layman's terms I will say that we have come down this road with other constituents and it is not that we don't want to help. Our concern is do we have the means to help everyone who comes down the road? The answer to that is no, we operate on a pretty slender budget to say the least and we just went through that exercise 3 days ago. But again, I am sitting up here speechless because I have to watch what I say but the bottom line is we want to help but we can't because we have set a precedent because if we help you then you tell your buddy in Woodbury they helped us out and then we have people coming in saying we need help to and we have heard that on occasion. Kim Gentile, 112 Woodhaven Drive spoke and stated we have been doing this since 2014 and here we are still. BJ stated I am sure you have some dirt from road projects. How about we compromise and I put the pipe in and you put the dirt in? Albert Roenigk stated at times they do but they could not fill it in. BJ stated if they have dirt and need somewhere to dump it. Albert replied that is a possibility and we would have to ask Bob. Several people were speaking at the same time. Alberts stated that you can't just connect the pipe to where it comes out onto the road. You have to put in a clean out. BJ stated if I put a pipe in, would you guys bring in the dirt and I understand that you do not have the money for everyone's request. I don't think it is unreasonable for you guys to bring me some dirt. Ron Zampogna replied that I am not saying it is unreasonable and that we don't want to help you but it is tough for us to set a precedent and shortly you will hear from Woodbury residents that have had an ongoing situation since I got on this board. This has been going on for 7 years for them. I see this woman in Giant Eagle and tell her I would like to help but again it is tough to help everybody is what I am saying. BJ stated instead of approving all these new developments that are coming in, maybe you should keep that in mind. You could maybe solve the problem from the beginning instead of approving these and the water is coming off the road and onto properties. Ron replied, with you trying to point the finger at us with what you just said right there. Did you know this when you were purchasing the lot regarding the situation. BJ stated that he saw a ditch out there but did not realize that all the water from Chesterfield Drive was going to come down into that ditch. It is not slopped properly so it is not making it to the other ditch. I could see the ditch but did not know the amount of water that was going to enter that ditch. Ron replied again, I wish there was an answer I could give you to suffice you but I can't. This is the only position we can take.

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Kim Gentile, 112 Woodhaven Drive stated that the Board of Supervisors received a letter back in 2014 from Ron Librook, more or less saying that there is Storm Water from Woodbury Drive being collected and the storm water runoff collects in our yard. John Haven was the Chairman at that time. So, when the DEP was out and looked at our yard they told Buffalo Township that the solution to the flooding problem requires action by the Township. Despite that the Township has told us that they will not act and that it is our action to remedy because that plan was approved years ago and the stipulations were not what you have in place today and the DEP cannot come in and force the Township to fix our issue but they are recommending that you do. You are saying that it is our problem and not the Township's. I have receipts showing the amount of \$10,787.44 of what we have paid to date for excavation and maintenance to remedy the flooding issue. In addition, although we routinely clean the backyard catch basin because it does get covered with debris during a rain storm. Even though we keep that clean the excessive force of water has brought layers of mud, silt, and debris. We have had to remove that roughly, 250# grate and climb down inside the catch basin and try to clean out that drain that gets clogged with mud and debris. So, my question to the Supervisors, based on your premise based on our problem and not yours do you believe these are reasonable and acceptable situations for us to be in that we should actually have to do that? Ron stated, I want to step back to is 7 years ago, Atty. Lutz contacted that gentleman and had no response from him. Kim replied that he responded with "oh my goodness, they have it in writing, what more do they want". He is a very busy man. Ron replied I appreciate your position on this but he was able to write the letter and was on site. He could have at least returned Atty. Lutz' numerous phone calls and that is what I remember from that. Mr. Haven was sitting in my seat at that time and Mr. Risch and Mr. Roenigk were here as well. Am I wrong in my understanding of what happened? Gary replied, no that is what happened. Kim said okay, he wrote a letter. Ron stated that is great but as a DEP employee we would have liked to hear from him. Is he still in the position. Kim replied it was sent to John Haven and the Supervisors. I have a copy of it here if you would like to see it. Ron replied no and we did address it back then. Is he still working with the DEP? Kim replied that I do not know. Ron stated again we are setting a precedent by coming onto your property and fixing an issue. Kim asked if she could ask her question in a different way. Ron replied okay. Kim replied I believe now the Township does own the storm sewer system in Woodbury Estates. You own the storm sewer along the road. So, why can't you connect the storm drains together so they drain properly? I am asking that you connect them and quit discharging water into the back of my property. Why can't that be done? If you own the storm water system and per the DEP verbiage, you are then required to manage the quality, velocity, and direction of storm water to protect health and property. Why are you not connecting them. Gary Risch asked Bob Fletcher if he had anything to say. Ron stated that Ken Howard would be the one to address this. Bob Fletcher, Road Master stated that Holbein was the contractor and we had to dig down. You are on Woodhaven? We dug down so far and Holbein had to bring a ditch box. The basin you are talking about is in your woods. Kim replied my backyard. Bob stated that again, you bought the property know there was a basin in there. Mr. Gentile replied no, that is not true. Kim replied that our basin can handle storm water run off but the fact that the catch basins are discharged. So apparently Holbein came and fixed the broken pipe to allow more water come onto my property. That is what it sounds like to me and the water is backing up onto the road. Mr. Gentile stated that they repaired the pipe and now it is draining onto our property. So, if we

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go ahead and cement the pipe because it is on our property...we won't but I get what that gentleman was saying. Kim replied, it does cross your mind. Bob asked what size of pipe that have and they Mr. Gentile responded a 15" pipe. Bob replied that is what it's supposed to be. Mr. Gentile stated that there is tons of debris coming down over the hill. Mrs. Gentile stated that all the water from above us comes down onto our property. We had to spend \$2,600.00 to get it the pipe blown out because there was so much water and debris filling it and it was not draining anymore. If it were natural, there would be no issue and we would take care of it but it's not. All we want is the storm water drains to be connected to each other. Ron stated that we want to help you and if we could then of course we would so what I am going to ask you to do is to come back when Mr. Howard is here next month. Ken knows the Township and he knows this plan. There was more discussion regarding the issue. Ron stated that it maybe an MS4 project but Ken can talk about this at the next meeting. TJ can take this information back to him. Several people were talking at the same time. Atty. Farrington shared more information and TJ Stephens responded as well. Ron invited them back to the next meeting to speak with Ken and asked TJ to update Ken on the situation.

Ryan Stadlmeyer, 2195 Garden Way stated that the Zoning Officer Mr. Healey came to his house and stated that he had to cease and desist working on cars in his garage. Atty. Farrington stated that he would talk with Mr. Healey regarding this matter and discuss it with Mr. Stadlmeyer as well. Atty. Farrington shared more information regarding this and gave Mr. Stadlmeyer his business card.

John Haven, 209 Creekside Drive stated that he was here on behalf of the Village of Sarver's Mills HOA Master Board regarding 3 alleys all named, Marigold, Goldenrod and Laurel but they do not have any signage. He expressed that he did not name them. The developer should have installed these signs. We are asking the Township for guidance to get these signs installed. We understand that since this is private property we will have to pay the costs involved. Also, do we have to have for every residence the green address signs. Janice replied yes and Atty. Farrington stated he would look into it. The developers may be the ones that take care of those signs as well as the Road signs. If you are willing to pay for the road signs then that is a conversation that we can have after as well. I briefly talked to Rhonda and asked if we should have an oversized sign for this. The lane back to the pool does have an address. John stated he just wants to make sure it is clearly marked for EMS and Emergency Services if something were to happen there. Also, regarding the cross walk going to the Elementary School and within a few weeks there is a cross walk and signage in place. Ron replied we felt it was very important. John added just wanted to let you know that along with the Sarver Road water project we have other projects in line and one is the expansion of the water plant in Freeport. We just got a permit to expand the production of water from 1.1 million gallons per day to 2.2 gallons per day. Now, doing that we will have to expand the plant and we are looking at a \$3 million plus project. We designed the building itself to be doubled inside the building so we do not have to build any other structure except for a clarifier which is outside. It is about the size of this room. Possible line replacement in Laneville which is the main line to Buffalo Township and explained more regarding what they are wanting to do.

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ADJOURNMENT was on motion of Gary Risch, seconded by Michael Oehling at 9:00 p.m. Motion Carried. Un. Approval.

APPROVED:

CHAIRMAN

SECRETARY/TREASURER