

EAST BUFFALO TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
589 Fairground Road, Lewisburg, PA, 17837  
February 8, 2021

Chairman Gray called the Board of Supervisors Meeting to order at 5:35 PM.

Those present: Chairman Char Gray; Vice Chairman James Knight; Supervisor Matt Schumacher; Township Manager Stacey Kifolo; Solicitor Peter Matson; and Secretary/Treasurer Jolene Helwig.

Members of the public participating via the virtual meeting format: David Hall; Georganna Kresel; Judith Marvin; Kathleen Evans; Kristy Dax; Margaret Marr; Marilyn Murphy; Mary Beth Griffith; Matt Farrand (Standard Journal); Tina Prowant and William Lowthert.

Members of the public participating in-person: Brian Kerstetter.

Chairman Gray announced that an Executive Session was held on Monday, February 8, 2021 at 4:30 PM to discuss on-going litigation.

Chairman Gray called a public hearing to order at 5:37 PM, to consider and act upon an ordinance amending Chapter 27, Zoning, incorporating Part 10, Floodplain Regulations.

Public Comments for Floodplain Regulation Ordinance:

- Margaret Marr, EBT resident, asked the supervisors how can residents secure a copy of the language of the ordinance and proposed amendments. Township Manager answered that the ordinance was advertised in the paper; posted on the township website; available for review at the Township Office Building; and available at the Central Keystone Council of Government (CKCOG) office.

Chairman Gray closed the public hearing at 5:40 PM.

Motion by Supervisor Schumacher and seconded by Vice Chairman Knight to adopt Ordinance 396, amending Chapter 27 requiring all persons, partnerships, businesses, and corporations to obtain a permit for any construction or development: providing for the issuance of such permits; setting forth certain minimum requirement for new construction and development within areas of East Buffalo Township which are subject to flooding; and establishing penalties for any persons who fail, or refuse to comply with, the requirements or provisions of this ordinance.

Gray-y, Knight-y, Schumacher-y; Motion Carried

For this segment of public comment, attendees were asked to limit comments on agenda topics.

Public Comments:

- Brian Kerstetter, Kelly Township resident, introduced himself as a candidate for District Judge.
- Tina Prowant, EBT resident, asked if Brian Kerstetter was a Republican or Democrat. Brian Kerstetter replied that he is registered as a Republican but considers himself as a fiscal conservative and civil libertarian.
- Margaret Marr, EBT resident, asked the Supervisors why the Township Manager position was on the agenda. Chairman Gray stated that Township Manager Kifolo's contract is to

expire at the end of the year; therefore, now is the time to post a requisition for the position before the contract runs out.

Chairman Gray reported that the Saint Mary Street ice-skating rink is open to the public, weather permitting. BVRA's goal is to be open from 1:00 PM to 7:00 PM, Monday thru Thursday will be free skating. Gray stated that she spent 4 ½ hours shoveling snow off the ice so residents would be able to skate tonight. They had help from East Buffalo Township Public Works Crew for snow removal from the ice and the parking area. Gray noted that the BVRA Gala is schedule for March 6<sup>th</sup> at 7:00 PM. The gala is schedule for one hour via Zoom. Cost of registration for the event includes dinner provided by The Lewisburg Hotel and desserts from Bella's Bliss Bakery. There will be local entertainment and highlights of what is happening with BVRA programs. Please call the BVRA office or visit the BVRA website to purchase ticket(s) or to receive more information about the BVRA Gala.

Vice Chairman Knight reported that the Central Susquehanna Fire and Emergency Services Department (CSFESD) Board meeting scheduled for Thursday, January 28<sup>th</sup> at 6:00 PM was cancelled.

Supervisor Schumacher reported that the Buffalo Valley Reginal Police Commission (BVRPC) meeting will be Wednesday, February 10, 2021 at 5:00 PM. Kifolo noted that the link to virtual meeting was posted on the township website.

Township Manager Kifolo reported the 2020 Annual Report was sent to the supervisors for review. She stated that the bidding for the 2014 Kubota was placed on Municibid.com and posted in a local newspaper. Bids will be accepted through Municibid.com until 1:05 PM on April 5, 2021. The bid will be awarded on Monday, April 12, 2021 at 5:30 PM during the regularly scheduled meeting. Kifolo noted the State Department of Environmental Protection cancellation of the 2021 round of Section 902 Recycling Implementation Grants due to a lack of money in the Recycling Fund. The General Assemble redirected \$50 million from the fund to balance the final state budget that was adopted in November. This is the first time in the Recycling Program's 33-year history a round of grants has been canceled; but the fourth time the General Assembly has diverted money from the Recycling Fund to balance the State budget. The total diverted to date is \$84 million. Although we had no plan to enter an application for the round that was recently cancelled, the program has been beneficial to the Township in the past and always viewed as a funding potential to assist in keeping the recycling program cost for the taxpayers low. For example, the bulk of the cost to purchase the leaf vacuum was through the 902-grant program. As was the woodchipper, improvements for the recycling center, the launch of the bi-annual recycling newsletter, and other recycling items. Locals will be holding off on projects, making the next round even more competitive and possibly have less funding available. Recycling wasn't the only impact. Recreation/park funding is also impacted, as are local farmers. The General Assembly took a total of \$201,977,000 from environmental and energy funds to balance the FY 2021-22 state budget. Impacts include, but are not limited to, farmers being left without assistance to save their farms through the farmland preservation program; Brownfield industrials sites will not be cleaned up and made safe; and environmental education efforts will be set back; Clean energy projects will not move forward. Visit [paenvironmentdigest.com](http://paenvironmentdigest.com) if you would like more information.

Secretary Helwig reported that she had received the final December tax collector reports and check in the mail. She would be comparing the tax collector reports to the remaining refund applications and projects that the final refund checks should be released by next week.

Chairman Gray acknowledged acknowledge Board receipt of the December 2020 and January 2021 Buffalo Valley Regional Police Department (BVRPD) reports.

Chairman Gray acknowledge Board receipt of the Central Keystone Council of Governments (CKCOG) January 2021 report.

Motion by Chairman Gray and second by Vice Chairman Knight to approve the Reiff Subdivision Plan.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and second by Supervisor Schumacher authorizing Solicitor Matson to proceed with the preparation of an ordinance to repeal Chapter 8 and advertise for a public hearing during the March 8, 2021 Supervisors meeting.

Gray-y; Knight-y; Schumacher-y; Motion Carried

Motion by Vice Chairman Knight and second by Chairman Gray to approve Resolution 01-2021 appointing the Central Keystone Council of Government (CKCOG) as Zoning Officer; and the Zoning Officer as the Floodplain Manager/Administrator under the provisions of Chapter 27, Part 10 of the Code of Ordinances of East Buffalo Township.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to approve the January 20, 2021 special meeting minutes as distributed.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Supervisor Schumacher to approve the additional expenditures for December 2020 as presented.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to approve the expenditures for January 2021 as presented.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Supervisor Schumacher to accept the Buffalo Valley Regional Police Department (BVRPD) budget following the Commission's action during their January 2021 meeting to have the budget reflect the number of PPUs requested by the Township.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Chairman Gray informed the public that in the lawsuit brought by Lewisburg Borough against East Buffalo Township and the Buffalo Valley Regional Police Commission oral arguments were heard by Judge Hudock on Monday, February 1, 2021. No exact date for a decision was provided, the Judge simply noted that a decision would be delivered as soon as possible.

Motion by Chairman Gray and seconded by Vice Chairman Knight to earmark \$106,789 within the Township general fund as a contingency to address any potential financial settlement dictated by the court. This action in no way implies that these funds are owed to BVRPD or that the amount reserved accurately reflects the disputed amount.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to approve Resolution 02-2021 appointing the Union County Treasurer to serve as East Buffalo Township Tax Collector until such time as a person shall be elected as said Tax Collector.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to approve Resolution 03-2021 raising the compensation of the elected tax collector for the Township of Est Buffalo Township to three dollars and fifty cents (\$3.50) for the collection of real estate taxes for each tax bill.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight authorizing Solicitor Matson to proceed with the preparation of an ordinance to amend Chapter 1 and advertise for public hearing during the March 8, 2021 Supervisors meeting.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Supervisor Schumacher to approve Resolution 04-2021 adopting regulations necessary and appropriate to implement the provisions of Chapter 20, Part 2 of the code of ordinances of East Buffalo Township and appropriate state and federal laws governing the recycling of Solid Waste.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to approve the agreement with Herr Signal & Lighting, Inc., for the US15 and Moore Avenue/Smoketown Road intersection pavement repair needed as a result of pavement/road base disturbance during traffic signal conduit boring.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to approve authorizing the Township Manager to sign PennDOT M-950AA, which will authorize McCormick Taylor to apply for a Highway Occupancy Permit (HOP) for the intersection repair of SR0015, Segment 0150/Offset 0860, Segment 0151/Offset 0800, related to the Green Light Go signal project.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to ratify the Municipal Disaster Emergency declared on February 1, 2021, due to a severe winter weather event. Said declaration was effective immediately and expires February 8, 2021.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to approve the submittal of 500 tons of sodium chloride for the 2021-2022 COSTARS sodium chloride (road salt) contract.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Vice Chairman Knight to authorize YSM Landscape Architects to include the Steel Truss bridge in the Fairground Road Park bidding.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Supervisor Schumacher and seconded by Vice Chairman Knight authorizing the Township Manager to accept the two-year agreement with TextMyGov for texting technology to communicate with citizens.

Gray-y, Knight-y, Schumacher-y; Motion Carried

Motion by Chairman Gray and seconded by Supervisor Schumacher authorizing the Township Manager to put together a package for advertising the Township Manager position to be discussed at the February 22, 2021 Work Session Meeting.

Gray-y, Knight-y, Schumacher-y; Motion Carried

For the second segment of public comment, the attendees were welcomed to comment on matters discussed during the meeting or topics not appearing on the agenda.

Public Comments:

- Tina Prowant, EBT resident, noted that there are Zoom issues with the hearing of supervisors; asked if there would be social distancing for the public meeting on Wednesday; asked if the community room would be set up; asked if the supervisors had considered an officer present at the public meeting; asked how many years was the Township Manager contract for; asked if Stacey was considering reapplying; and asked has it been considered those who apply must live in the state of Pennsylvania. Supervisor Schumacher stated the community room is being used for the meeting and chairs are already set up for social distancing. Chairman Gray stated no they don't plan on having an officer on site, stated would hope everyone could be civil. Township Manager Kifolo stated her contract was for 2 ½ years. She declined to answer her employment status. Chairman Gray stated that it would be ideal for obvious reasons for someone to be local.
- Margaret Marr, EBT resident, questioned the reference to a property maintenance issue for failure to remove yard wastes; in her opinion, people should be given a chance to separate materials and have it picked up the next time before any penalty is imposed. In opinion, what is mixed and what is separated is subjective. She asked if there are fees to be associated with it being turned over to property maintenance. In her opinion, people need to be given more than 15 days and if brush and yard waste are separated, the Township should return for collection. In her opinion, there are many other technologies available for brush clean up. She asked if there is an association of city managers that the Township can use to advertise the manager position. She also asked if material provided to the Board prior to the meetings could be made available to the public for review before the meetings so they could ask the supervisors more appropriate questions about the topics that are being discussed. Township Manager referred the question to Solicitor Matson who stated that the documents are not public documents until the supervisors take action. The exception is an ordinance, which is advertised and the text is available for public review prior to the meeting. Chairman Gray and Vice Chairman Knight asked that we give some thought as how to make the information available to the public.
- Matt Farrand (Standard Journal), sent email asking if there will be limited seating at the Township Building for the meeting with the Lewisburg Borough on February 10<sup>th</sup>. Helwig stated there are 21 seats available. Farrand asked Supervisor Schumacher if he is going to be running again for Supervisors, not running again or if he is undecided. Supervisor Schumacher stated he is undecided.

Motion by Chairman Gray and seconded by Supervisor Schumacher to adjourn at 7:37 PM.

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Jolene D. Helwig, Secretary

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Char Gray, Chairman

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James Knight, Vice Chairman

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Matt Schumacher, Supervisor