

**FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS
MINUTES
July 28, 2014 – 7:00 p.m.**

I. CALL TO ORDER:

The meeting was called to order by the Chairman, Mr. Stanley, at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL:

PRESENT: Robert P. Stanley, Jr., Chairman
Mario D. Pirritano, Vice-Chairman
John C. Minito, Supervisor
Christopher L. Allen, Supervisor
Stephen F. Smith, Manager
Donald F. Martin, Assistant Manager
Stephen M. Waller, Codes Administration Director
Lt. Jason Loper, Police Department
Donna L. Nissel, Secretary

ABSENT: John W. Jones, Supervisor

IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS:

After meeting of June 30 – Police contract, personnel matters
July 24 - Police contract, personnel matters, potential land acquisition for sewer project

V. RECOGNITION OF PUBLIC:

1. Sheri Moyer, Sunset View Drive, again asked the Board to rescind Ordinance No. 2012-1, mandatory water connection. She feels that residents should be given a choice, and asked that the language on well use be clarified. She stated that she has circulated a petition and has 77 signatures so far.
2. Jim Stottle, Old Forge Road, also objects to the mandatory connection.
3. Mark Perry, Sunset Drive, asked about the amendment to the well ordinance. He was advised this was being discussed.
2. Cory Leslie, Bunker Hill Road, applauded the Board for their decision to appoint Lt. Loper as Chief of Police.

VI. AGENDA ITEMS:

1. Audit Presentation – Jim Koontz, Brown Schultz Sheridan & Fritz:

Mr. Koontz reviewed the 2013 audit report. He specifically noted that the non-uniform pension plan is healthy and the police pension fund and the post-retirement medical plan are both over-funded. Mr. Pirritano asked if other municipalities are over-funded. Mr. Koontz replied that it is just the opposite – there are none that he knows of. The audit report will be posted on the Township's website.

2. Ordinance No. 2014-8 – Authorizing and Securing the Issuance of Four (4) General Obligation Notes in the Aggregate Amount of \$7,200,000:

Jens Damgaard, Rhoads & Sinon, explained the refinancing of four current notes to 2019 and 2020. Mr. Pirritano made a motion, seconded by Mr. Minito to adopt Ordinance No. 2014-8. Vote on the motion: All yes. The Ordinance was adopted.

3. Appoint Chief of Police:

Mr. Stanley made a motion, seconded by Mr. Minito to appoint Jason C. Loper to the position of Chief of Police, effective July 1, 2014, at a salary of \$101,000.

Mr. Stanley said Mr. Loper has done an admirable job as acting chief and has improved the morale and integrity of the department.

Mr. Minito offered his congratulations.

Mr. Pirritano said he has been extremely professional during his tenure as acting chief.

Vote on the motion: All yes. The motion carried.

4. Presentation of Awards:

Chief Loper presented a Chief's Commendation to Officer Mike Bennage and a Meritorious Service Award to William Loper for their combined efforts on June 16th. Robert Good had been working when he grabbed his chest and fell over. Mr. Loper called 911 and started CPR. When Officer Bennage responded to the call, Mr. Good had no pulse and was turning blue. Officer Bennage and Mr. Loper continued CPR until medical personnel arrived. Mr. Good is now still alive because of their actions.

5. Authorize Hire – Records Management:

Chief Loper advised that out of all applications received, interviews were conducted with ten individuals. He recommended hiring Valjoy Galli.

Mr. Pirritano made a motion, seconded by Mr. Allen to authorize hiring Valjoy Galli for the full-time Records Management position with a start date of 08/18/14, at a starting salary of \$16.00/hour, a full benefits package, with a 180 day probation period and a \$1.00 increase upon satisfactory completion of the probationary period.

Vote on the motion: All yes. The motion carried.

6. Guy E. Shelley, Jr. Memorial Bridge

Mr. Minito introduced Tim Sentz, Post Commander of the Guy E. Shelley, Jr., American Legion Post 974. Mr. Sentz advised the Board that it has taken almost 2 years to have the new bridge on Old York Road over the Turnpike named for Mr. Shelley. There will be a dedication ceremony and signs erected at the bridge.

7. Building, Zoning, Codes:

A. Request for One (1) EDU, South Plant – Lot 21, Cameron Road:

Mr. Waller explained that this lot is a part of a subdivision recorded in 1967. The lot was never built on and the current owner is requesting connection to the public sewer so a single family dwelling can be built.

Mr. Stanley made a motion, seconded by Mr. Minito to approve the request for one (1) EDU for Lot 21, Cameron Road.

Vote on the motion: All yes. The motion carried.

B. Resolution No. 2014-16, Planning Module – Carolyn Nye, 695 Pleasantview Road:

Mr. Jones advised that the legal agreement required needs some modifications.

Mr. Pirritano made a motion to adopt Resolution No. 2014-16 pending Mr. Jones's final determination on the agreement. There was no second.

Mr. Minito made a motion, seconded by Mr. Allen to table this matter to the August meeting.

Vote on the motion: All yes. The motion carried.

**C. Modification Requests – Hoffman/York Red Mill – Beinhower & Old York Roads:
(Tabled from June 30)**

- 402.1.S – Existing Driveway Sight Triangle**
- 602.1.G – Cartway Improvements**
- 606.4.H – Paving Existing Driveway**
- 609.1.C – Connect Public Water**
- 610.1.C – On-site Sewage Disposal/Connection to Public Sewer**
- 610.1.D – Septic Replacement Sites**

Mr. Waller explained that this was a reverse subdivision to bring the plan back to its original form.

Mr. Pirritano made a motion, seconded by Mr. Minito to approve the modification requests for Hoffman/York Red Mill from 402.1.S-existing driveway sight triangle, 602.1.G-cartway improvements, 606.4.H-paving existing driveway, and 609.1.C-connect public water.

Vote on the motion: All yes. The motion carried.

Mr. Allen made a motion, seconded by Mr. Pirritano to approve the modification requests from 610.1.C-on site sewage disposal/connection to public sewer and 610.1.D-septic replacement sites.

Vote on the motion: All yes. The motion carried.

D. Final Minor Subdivision Plan - Hoffman/York Red Mill, 2 Lots, Beinhower & Old York Roads:

Mr. Minito made a motion, seconded by Mr. Allen to approve the final minor subdivision for Hoffman/York Red Mill, contingent upon favorable action on the modification requests above; submittal of signed and notarized plans; payment of recording fees; payment of all engineer fees; and compliance with the Township staff memo dated 06/02/14.

Vote on the motion: All yes. The motion carried.

E. Time Extension Request:

Oakhill, Phase 1, Oak Hill Road

December 1, 2014

Mr. Stanley made a motion, seconded by Mr. Pirritano to approve the one time extension listed above.

Vote on the motion: All yes. The motion carried.

**8. Ordinance No. 2014-6 – Amending Benefit Provisions, Non-Uniform Pension Plan:
(Tabled from June 30)**

Arvel Freydenfelt questioned the purpose of the amendments. Mr. Jones advised that basically it was just to clean up the language so it is consistent throughout.

Kris Wickwire asked about the DROP program. He was advised that it has been eliminated for all new hires.

Mr. Freydenfelt asked how this would affect Mr. Smith. Mr. Jones said that Mr. Smith is not eligible for the DROP.

Mr. Pirritano made a motion, seconded by Mr. Minito to adopt Ordinance No. 2014-6, to amend benefit provisions in the non-uniform pension plan, retroactive to July 1, 2014.

Vote on the motion: All yes. The Ordinance was adopted.

9. Ordinance No. 2014-7 – Establish Stop Intersections on Commerce Dr, & Shawnee Ct.:

Mr. Minito made a motion, seconded by Mr. Allen to adopt Ordinance No. 2014-7, establishing stop intersections on Commerce Dr. & Shawnee Ct.

Vote on the motion: All yes. The motion carried.

10. Resolution No. 2014-14 –York County Regional Chesapeake Bay Pollutant Reduction Plan:

Mr. Jones advised that this is only a draft and advised that action should wait for the final version.

Mr. Pirritano made a motion, seconded by Mr. Minito to table this item to the August meeting.

Vote on the motion: All yes. The motion carried.

11. Resolution No. 2014-15 – Opposing the Request of Sunoco Pipeline to be Designated as a Utility by the PUC:

Mr. Stanley made a motion, seconded by Mr. Minito to adopt Resolution No. 2014-15, opposing the request of Sunoco Pipeline to be designated a Utility by the PUC.

Vote on the motion: Mr. Pirritano, no; all others, yes. The motion carried.

12. Award Bid – Paving:

Mr. Minito made a motion, seconded by Mr. Allen to award the bid for items 6, 7, 8 & 9, paving Granite Quarry Road and Beinhower Road and shoulder widening on Pinetown Road, to Kinsley Construction in the amount of \$325,053.50, and to rebid items 1 through 5.

Vote on the motion: All yes. The motion carried.

13. Citizen Request for Speed Study – 400 Block, Lewisberry Road:

Mr. Stanley made a motion, seconded by Mr. Allen directing Mr. Bitner to request that PennDOT do a speed study on the 400 block of Lewisberry Road.

Vote on the motion: All yes. The motion carried.

14. Land Use Assumptions Report – Traffic Impact Fee Advisory Committee:

Mr. Pirritano made a motion, seconded by Mr. Minito to authorize providing official notice of the Township's intent by providing the LUAR report to the requisite parties.

Vote on the motion: All yes. The motion carried.

15. Authorization to Amend the Well Ordinance:

Mr. Minito made a motion, seconded by Mr. Allen authorizing the Solicitor to prepare an amendment to the Well Ordinance, specifying that the well must be separated from the potable system, and that well water is for non-potable uses only.

Vote on the motion: All yes. The motion carried.

16. Establish Budget Meeting Dates:

Mr. Stanley made a motion, seconded by Mr. Pirritano to schedule budget meetings on September 10, September 25 and October 16, 2014 from 4:30 – 7:30 p.m.

Vote on the motion: All yes. The motion carried.

17. Employment Contract – Township Manager:

Mr. Jones explained that Mr. Smith would retire and then be rehired as a contract employee. The contract could be terminated with a 90 day notice by either party.

Mr. Freydenfelt stated that he felt this was not a good choice for the Township. Let Mr. Smith retire if he wants to and a manager could be hired for much less money.

Mr. Pirritano made a motion, seconded by Mr. Minito to execute an employment contract with Mr. Smith with an effective termination date of January 3, 2016.

Vote on the motion: All yes. The motion carried.

VII. OLD BUSINESS:

1. National Night Out – Tuesday, August 5, 2014:

Chief Loper updated the Board on the plans for National Night Out, Approximately 18 organizations have signed up to participate; there will be free food and beverages, games, bounce houses, raffle items, etc. The event will be manned by all volunteers.

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS

July 28, 2014

Page -5-

2. Final Lot Reconfiguration Plan – Harry Fox, 2 Lots, Ridge Road:

Mr. Waller advised that the plan has received all outside agency approvals.

Mr. Minito made a motion, seconded by Mr. Allen to approve the Final Lot Reconfiguration Plan for Harry Fox, Ridge Road, contingent upon submittal of signed and notarized plans; payment of recording fees; payment of all engineer review fees; and compliance with the Township staff memo dated 07/28/14.

Vote on the motion: All yes. The motion carried.

VIII. NEW BUSINESS:

1. Reimbursement Agreement – PA Turnpike:

Mr. Smith advised that the agreement previously executed by Mr. Stanley, contained an error in the dollar amount of the total estimate. The corrected total is \$1,116,000. Mr. Stanley initialed the corrected amount and the contract was returned to the Turnpike Commission for their approval and execution.

2. Mr. Stanley reported that at the last COG meeting the MS-4 program was discussed as well as bidding for joint refuse contracts.

3. Mr. Smith advised that the Township could acquire two parcels of land - 1.8 acres and 4.8 acres - adjacent to Roof Park for a total cost of \$75,000.00. Mr. Pirritano said he thought part of this land was wetlands and would be unusable.

Mr. Allen made a motion, seconded by Mr. Minito to authorize the purchase of this land.

Vote on the motion: Mr. Pirritano, no; all others, yes. The motion carried.

IX. APPROVAL OF MINUTES:

Mr. Pirritano made a motion, seconded by Mr. Allen to approve the minutes of the June 30, 2014 meeting of the Board of Supervisors.

Vote on the motion: All yes. The motion carried.

X. RATIFICATION OF BILLS PAYABLE:

1. Mr. Pirritano made a motion, seconded by Mr. Minito to ratify payment to GHD, Inc. as presented.

Vote on the motion: Mr. Stanley abstained as he is a semi-retired employee and shareholder of the company; all others, yes. The motion carried.

2. Mr. Minito made a motion, seconded by Mr. Allen to ratify payment of all other Bills Payable as presented.

Vote on the motion: All yes. The motion carried.

XI. ANNOUNCE EXECUTIVE SESSION:

There will not be an executive session following this meeting.

XII. ADJOURNMENT:

Mr. Minito made a motion, seconded by Mr. Allen to adjourn the meeting.

Vote on the motion: All yes. The meeting was adjourned at 9:45 p.m.