

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS
June 26, 2017 – 7:00 p.m.

MINUTES

I. CALL TO ORDER:

The meeting was called to order by the Chairman, Dr. Larry Cox, at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL:

PRESENT: Dr. Larry Cox, Chairman
Mario D. Pirritano, Vice-Chairman
Korey Leslie, Supervisor
Christopher L. Allen, Supervisor
John W. Jones, Supervisor
Dave Jones, Stock & Leader, Solicitor
Donald F. Martin, Manager
Jason Loper, Police Chief

ABSENT: Stephen M. Waller, Codes Administration Director

IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS:

There was no executive session since the last meeting.

V. RECOGNITION OF PUBLIC

1. Barry Fenacle, 405 Benyou Lane in Fairview Park spoke with regard to his concerns with the current water rate increases for both commercial and residential customers. Mr. Fenacle stated he filed a complaint with the PUC (Public Utility Commission) and suggested the Board of Supervisors to repeal the mandatory connection law.

Attorney Jones stated that with the sale of the sewer system the Township passed on a twenty-one million dollar project in addition to recent plant upgrades. Customers would have received a cost increase regardless due to the project costs. The Township is contractually obligated to keep ordinances in place. Prior to utility rate increases a "rate case study" is completed by the PUC.

VI. AGENDA ITEMS

1. **Loyalty Oath – Fire Police**

Dr. Cox administered the Fire Police Loyalty Oath to the following individual:
Dean Kuhlman

2. **Audit Report – Jim Koontz, Brown Schultz Sheridan & Fritz**

Mr. Koontz reviewed the highlights of 2016 audit report. He reported that Fairview Township is in exceptional condition at this time with no outstanding debt. The Police and Non-uniform pension plans are fully funded and are considered assets. He stated that Fairview is ahead of most municipalities in this respect. The full audit report is available on the Township's website.

3. **Discussion: Widening of Schoolhouse Lane (tabled from previous meeting)**

Mr. Pirritano made a motion, seconded by Mr. Leslie to waive the requirement to widen Shoolhouse Lane in Shettle Farm Subdivision and Mr. Michael Martin will pay \$7,200.00 to the Township towards the road widening to be completed by the Township. Mr. Martin to prepare and submit for approval a revised Subdivision and Land Development Plan to reflect the waiver of the road widening. Upon receipt of the payment of the \$7,200 and approval of the revised Subdivision and Land Development Plan, the Township will release the security for road widening held by the Township to Mr. Martin. Vote on the motion: All yes. The motion carried.

4. Building, Zoning, Codes:

A. Authorization to advertise Proposed Text Amendments to Zoning Ordinance

Attorney Jones discussed the purpose for the proposed text amendments to the current zoning ordinance.

Mr. Pirritano made a motion, seconded by Mr. Jones to approve staff to advertise text amendments. Vote on the motion: All Yes. The motion carried.

B. Modification Request – Speedway LLC – 486 Fishing Creek Road

Mr. Pirritano made a motion, seconded by Mr. Jones to approve modification request to Sections 260.14 and 260.15 of the Subdivision and Land Development Ordinance conditioned on in-house staff review and approval of stormwater, zoning and land development regulations. Vote on the motion: All Yes. The motion carried.

C. Subdivision and Land Development Modification Request

1. **Fairview Township Recycling Center, Lewisberry Road**
252.10.G – Stormwater onto adjacent properties
252.10.L – Pond structure location in setback
252.17.C(1)(c) – Pond side slopes
252.17.C(1)(f) – Discharge dispersion
260.35.D(2)(a)(4) – Min. 18” pipe diameter size

Cathy Lee, Stormwater Engineer for the Township, reviewed the above listed modification requests.

Dr. Cox inquired if the approval of these modifications would impact local neighbors. Mrs. Lee explained that the infiltration will decrease the flow of water off the property.

Mr. Pirritano made a motion, seconded by Mr. Allen to approve the modification requests from 252.10.G – Stormwater onto adjacent properties; 252.10.L – Pond structure location in setback; 252.17.C(1)(c) – Pond side slopes; 252.17.C(1)(f) – Discharge dispersion; 260.35.D(2)(a)(4) – Min. 18” pipe diameter size. Vote on the motion: All Yes. The motion carried.

2. **Postupak, Miramar and Ross Avenue**
260.14.A(1) – Original property description scale
260.22.A(7) – Cartway improvements to Miramar and Ross Avenue

Mr. Allen made a motion, seconded by Mr. Jones to approve the modification requests from 260.14.A(1) – Original property description scale and 260.22.A(7) – Cartway improvements to Miramar and Ross Avenue. Vote on the motion: All Yes. The motion carried.

3. **674 Gaumer Road**
260.14.A(1) – Original property description scale
260.14.B(7) & 260.32 – Wetlands Analysis
260.22.A(7) – Cartway improvements to Gaumer Road
260.26.C(2) – Number of access drives

Mr. Jones made a motion, seconded by Mr. Allen to approve the modification requests from 260.14.A(1) – Original property description scale; 260.14.B(7) & 260.32 – Wetlands Analysis and 260.22.A(7) – Cartway improvements to Gaumer Road. Vote on the motion: All Yes. The motion carried.

Mr. Leslie made a motion, seconded by Mr. Jones to approve the modification requests from 260.26.C(2) – Number of access drives to allow four (4). Vote on the motion: All Yes. The motion carried.

D. Final Land Development Plan – Postupack – Ross Avenue

Mr. Allen made a motion, seconded by Mr. Pirritano to approve the plan contingent on favorable action on the modification request; the submittal of signed and notarized plans; payment of recording fees; payment of all engineer fees; placement of an improvement bond; execution of a security agreement; placement of an engineer escrow account; payment of appropriate recreation fees and compliance with the Township Staff memo dated June 19, 2017. Vote on the motion: All Yes. The motion carried.

E. Resolution No. 2017-10 – Sewage Planning Module, Penny Pennachi, 440 Marsh Run Road:

Attorney Jones explained the property owner needed to repair a failing sewer system. In order to have this corrected as per Act 537 amendments it is required for them to file a sewage planning module with DEP. Property owners have met with SEO and have provided both Service and Maintenance Agreements.

Mr. Pirritano made a motion, seconded by Mr. Allen to approve Resolution No. 2017-10, Sewage Planning Module for Penny Pennachi, 440 Marsh Run Road, New Cumberland.

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

5. Approval of furnishings for Police Station

Mr. Leslie made a motion, seconded by Mr. Allen to approve the purchase of up to \$200,000.00 for furniture and furnishings for the new Police Station as presented.

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

6. Adopt Resolution No. 2017-7, 2017-8, & 2017-9 Application for Permit to Install Traffic Signals

Mr. Leslie made motion, seconded by Mr. Allen to table Resolution No. 2017-7, 2017-8, & 2017-9 authorizing the execution and submission of the application for a permit to install traffic signals until the township is in receipt of a Developers Agreement.

7. Discussion: Fairview Crossroads Traffic Impact Fees

Attorney Jones discussed the substantial roadway improvements a commercial developer is planning on completing with the development of the 83 acre tract including the I-83 Southbound ramp.

Mr. Jones made a motion, seconded by Mr. Leslie to allow a credit for traffic improvements constructed by Fairview Crossroads, LLC, up to the amount of the Traffic Impact Fee calculated for the project.

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

8. Removal from Probationary Status:

Mr. Allen made a motion, seconded by Mr. Jones to remove Chris Strump from probationary status.

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

VII. OLD BUSINESS

1. Mr. Pirritano inquired when Keith Chase (Fairview's Representative to the Airport Authority) would be visiting and Mr. Martin stated Mr. Chase will be at the Board of Supervisors meeting on July 31, 2017.
2. Attorney Jones stated that since the discussion at last month's Board of Supervisors meeting regarding property violations within the "New Market" area, three additional home owners have been contacted and notified and additional violation letters have been sent.

VIII. NEW BUSINESS

1. Dr. Cox noted he was visited by a resident giving praise to both Officer Dehoff and Officer Paul for returning to her home on their personal time to assist in completing some well needed home repairs as she is a widow and was unable to accomplish.

IX. APPROVAL OF MINUTES

Mr. Leslie made a motion, seconded by Mr. Allen to approve the minutes of the May 22, 2017 meeting of the Board of Supervisors.

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

X. RATIFICATION OF BILLS PAYABLE

Mr. Pirritano made a motion, seconded by Mr. Leslie to ratify payment of all 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. Pirritano made a motion, seconded by Mr. Leslie to adjourn the meeting.

Vote on the motion: All yes. The meeting was adjourned at 9:08 p.m.