

**FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS**  
**October 31, 2022 – 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  
John W. Jones, Supervisor  
Christopher L. Allen, Supervisor  
Matthew Cox, Supervisor  
Donald F. Martin, Manager  
Drew Bitner, Engineer  
Davis Holland, Chief of Police  
Dave Jones, Stock & Leader, Solicitor  
Stephen M. Waller, Codes Administration Director

**IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

There was no executive session prior to the meeting.

**V. RECOGNITION OF PUBLIC**

1. Bob Gasswint, from the Redland Senior/Community Center gave an update on the status of the Center and notified the Board that the church they are located in is for sale.
2. Tracey Leakway, 680 Cornhill Road, read the letter she sent to the Board in response to the violation she received for chickens on her property.

The Board informed her they are in the process of updating its ordinances with regard to chickens.

Attorney Jones advised the Board to suspend enforcement on chickens until the ordinance is updated.

Mr. Jones made a motion, seconded by Mr. Pirritano to suspend enforcement of the chicken ordinance until it has been revised.

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

3. Walter Young, stated he also received a violation letter about chickens. He stated chickens should be allowed on properties with less than an acre. He stated various other municipalities (some in urban areas) that allow chickens.
4. Clint Leakway, 680 Cornhill Road, asked if there was anything the police department could do about his neighbor taking pictures of him constantly. Chief Holland stated that if his neighbor is on his own property or in a public area, there is nothing they can do. Attorney Jones reiterated the same.

**VI. AGENDA ITEMS**

**A. Approval and Appointment - Lieutenant:**

Mr. Jones made a motion, seconded by Mr. Cox to promote Sergeant Boyles to the rank of Lieutenant effective November 7, 2022 at an annual salary of \$120,683.23.

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

**B. Joel Giovannetti, New Hope Ministries**

Mr. Giovannetti gave a presentation to the Board on the services offered to those in need within the community and asked the Board for financial support.

**C. Building, Zoning, Codes:**

**1. Subdivision and Land Development Modification Request**

<u>Plan</u>	<u>Section/Description</u>
Ellenberger/Roberge – Silver Lake Road	SLDO 260.22.A(7) & 260.22.B(2) Cartway Widening - Silver Lake Road
	SLDO 260.24.B(1) – Curbing
	SLDO 260.14.B(7) – Wetlands Study

Mr. Allen made a motion, seconded by Mr. Cox to approve modification request: SLDO 260.22.A(7) & 260.22.B(2) Cartway Widening - Silver Lake Road; SLDO 260.24.B(1) – Curbing; SLDO 260.14.B(7) – Wetlands Study.  
Vote on the motion: All Yes. The motion carried.

<u>Plan</u>	<u>Section/Description</u>
Flurrie Tract – Old Quaker Road	SLDO 260.14.A(1) – Tract Scale
	SLDO 260.14.A(2) – Location Map Scale
	SLDO 260.14.B(7) – Wetlands Study

1-That a presence of absence Wetland evaluation be conducted at the time of development of the lots to ensure no wetlands disturbance.

**SLDO 260.22.A(7) & 260.22.B(2) Cartway  
Widening - Old Quaker Road**

Mr. Jones made a motion, seconded by Mr. Allen to approve modification request: Flurrie Tract – Old Quaker Road; SLDO 260.14.A(1) – Tract Scale; SLDO 260.14.A(2) – Location Map Scale; SLDO 260.22.A(7) & 260.22.B(2) Cartway Widening - Old Quaker Road.  
Vote on the motion: All Yes. The motion carried.

Mr. Allen made a motion, seconded by Mr. Cox to approve modification request: Flurrie Tract – Old Quaker Road; SLDO 260.14.B(7) – Wetlands Study  
1-That a presence of absence Wetland evaluation be conducted at the time of development of the lots to ensure no wetlands disturbance.  
Vote on the motion: All Yes. The motion carried.

<u>Plan</u>	<u>Section/Description</u>
Pleasantview Phase 4	SLDO 260.22.A(7) & 260.22.B(2) Cartway widening all of Kellinger Road

Mr. Allen made a motion, seconded by Mr. Cox to approve modification request: Pleasantview Phase 4 SLDO 260.22.A(7) & 260.22.B(2) Cartway widening all of Kellinger Road.  
Vote on the motion: All Yes. The motion carried.

<u>Plan</u>	<u>Section/Description</u>
Fairview IS - Lewisberry Rd	SWMO 252.17.C(1)(c) –Maximum side Slope detention basin
	SWMO -252.10.L – SWM Basin Setback
	SLDO 260.10.A – Preliminary Plan
	SLDO 260.11.B(1) – Plan Sheet Size
	SLDO 260.17 - Financial Security

**SLDO 260.22.A(7) – ROW Cartway req  
Lewisberry Road**

**SLDO 260.24.B(1) – Curbing req**

**SLDO 260.25.A – Sidewalks**

**SLDO 260.25.F – Street Light spacing**

**SLDO 260.33 – Recreation Fee Req**

**Article XII – Traffic Impact Fees**

Mr. Jones made a motion, seconded by Mr. Pirritano to approve modification request: Fairview IS - Lewisberry Rd SWMO 252.17.C(1)(c) – Maximum side Slope detention basin; SWMO -252.10.L – SWM Basin Setback; SLDO 260.10.A – Preliminary Plan; SLDO 260.11.B(1) – Plan Sheet Size; SLDO 260.17 - Financial Security; SLDO 260.22.A(7) – ROW Cartway req Lewisberry Road; SLDO 260.24.B(1) – Curbing req; SLDO 260.25.A – Sidewalks; SLDO 260.25.F – Street Light spacing; SLDO 260.33 – Recreation Fee Req; Article XII – Traffic Impact Fees.  
Vote on the motion: All Yes. The motion carried.

**2. Draft Ordinance – Chickens – Direction**

Mr. Waller stated he has direction based on comments made at recognition of public to draft an ordinance to present at the next Board meeting.

**3. Preliminary/Final Subdivision Plan – Ellenberger/Roberge - 4 Lots – Silver Lake Road #22-1015 (Exp. 12/05//22)**

Mr. Jones made a motion, seconded by Mr. Allen to approve the Preliminary/Final Subdivision Plan – Ellenberger/Roberge - 4 Lots – Silver Lake Road #22-1015 (Exp. 12/05//22) Contingent On The Favorable Action On The Abovementioned Modification Requests; Submittal Of Signed And Notarized Plans; The Payment Of Plan Recording Fees; Payment Of All Engineer Review Fees; And Compliance With The Rettew Memo Dated October 26, 2022.  
Vote on the motion: All Yes. The motion carried.

**4. ~~Preliminary/Final Subdivision Plan – 665 Old Quaker Road – 4 Lots – #21-1004 (EXP. 12/05//22)~~**

**NO ACTION TAKEN – REMOVED FROM AGENDA**

**5. Preliminary/Final Land Subdivision Plan – Pleasant View Phase 4 – Scully/Kellinger And Meagan Way - #20-1007 (EXP. 10/31/22)**

Mr. Cox made a motion, seconded by Mr. Allen to approve approve the Preliminary/Final Land Subdivision Plan – Pleasant View Phase 4 – Scully/Kellinger And Meagan Way - #20-1007 (EXP. 10/31/22) contingent on the submittal of signed and notarized plans; placement of the approved financial security and the associated 4% engineer escrow; execution of the required Security Agreement; and compliance with the Rettew Memo dated October 18, 2022.  
Vote on the motion: All Yes. The motion carried.

**6. Modification Request – Wright Property Management – 7 Lewisberry Road**

Mr. Pirritano made a motion, seconded by Mr. Jones to deny the Modification Request – Wright Property Management – 7 Lewisberry Road.  
Vote on the motion: All Yes. The motion carried.

**D. Approve 2023 Meeting and Holiday Schedules:**

Mr. Jones made a motion, seconded by Mr. Allen to approve the meeting and holiday schedules for 2023 and set the re-organization meeting for Wednesday, January 4<sup>th</sup>, 2023 at 6 pm.  
Vote on the motion: All Yes. The motion carried.

**E. Present 2023 Budget of Township Funds:**

Mr. Pirritano made a motion, seconded by Mr. Allen present the 2023 Budget of Township Funds for public review for the required 20-day period with the intent to adopt at the meeting of December 5th, 2022.  
Vote on the motion: All Yes. The motion carried.

**F. Removal from Probationary Status:**

Mr. Allen made a motion, seconded by Mr. Cox to remove Robert Kuzniar from probationary status.  
Vote on the motion: All Yes. The motion carried.

**G. Ordinance No. 2022-4 – Amendment to the Code of Ordinances to Prohibit Parking at all Times Along a Portion of Old York Road:**

Mr. Pirritano made a motion, seconded by Mr. Cox to advertise Ordinance 2022-4 to Prohibit Parking at all times along a portion of Old York Road on the East Side between Terrace Place and Boeing Road.  
Vote on the motion: All Yes. The motion carried.

**VII. OLD BUSINESS**

1. Attorney Jones announced that an agreement was signed with Briarcliff to have all the work done by the end of 2023. Paving of some areas was scheduled to take place next week.
2. Mr. Martin announced that P.J. Williamson was named Assistant Highway Foremen.
3. Dr. Cox asked to put info about New Hope Ministries on the website and in the next newsletter.
4. The Board discussed "Gravity Hill".
5. Mr. Pirritano asked about a tree that fell on a power line on Gaumer Road.

Mr. Martin stated he would have the highway crew look at it and notify the proper utility company to have it taken care of.

6. Attorney Jones reiterated that Pennsylvania Act 50 is law and he cannot recommend adopting an ordinance that is in conflict with PA law. He further stated it is at the Boards discretion as to how much or how little they want to regulate the wireless cell phone industry within the Township.

**VIII. NEW BUSINESS**

There was no new business discussed.

**IX. APPROVAL OF MINUTES**

1. **Motion to approve the minutes of the September 26, 2022 meeting of the Board of Supervisors**

Mr. Pirritano made a motion, seconded by Mr. Jones to approve the minutes of the September 26, 2022 Meeting of the Board of Supervisors.  
Vote on the motion: All yes. The motion carried.

**2. Motion to approve the minutes of the October 5, 2022 budget meeting of the Board of Supervisors**

Mr. Allen made a motion, seconded by Mr. Cox to approve the minutes of the October 5, 2022 Meeting of the Board of Supervisors.  
Vote on the motion: All yes. The motion carried.

**X. RATIFICATION OF BILLS PAYABLE**

Mr. Jones made a motion, seconded by Mr. Allen to ratify payment of all Bills Payable as presented.  
Vote on the motion: All yes. The motion carried.

**XI. ANNOUNCE EXECUTIVE SESSION**

There will be not be an executive session following this meeting.

**XII. ADJOURNMENT**

Mr. Allen made a motion, seconded by Mr. Cox to adjourn the meeting.  
Vote on the motion: All yes. The meeting was adjourned at 8:17 PM.