

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS
August 29, 2022 – 7:00 p.m.
MINUTES

I. CALL TO ORDER:

The meeting was called to order by the Chairman, Dr. Larry Cox, at 7:30 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, Lieutenant
Dave Jones, Stock & Leader, Solicitor
Stephen M. Waller, Codes Administration Director

IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS

There was no executive session since the last meeting.

V. RECOGNITION OF PUBLIC

There was no public comment.

VI. AGENDA ITEMS

A. Ordinance 2022-2 - Major Zoning Map Change Request – 335 and 349 Pleasant View Road

Mr. Pirritano made a motion, seconded by Mr. Jones to approve Ordinance 2022-2 - to rezone parcels 27-000-RF-0117.00-00000 (335 Pleasant View Road) and 27000RF011400-00000 (349 Pleasantview Road) from Commercial Business (CB) and Rural Living (RL) to Residential Mixed Use (RMU).

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

B. Briarcliff Development Update

Mr. Martin stated that the Developer hired a contractor to begin working on the roads in the Briarcliff Development and is scheduled to begin late October or early November of this year. All other work will be completed in Spring 2023.

Dr. Cox stated that if the work is not completed by Spring of next year, the bond will be called.

Kevin Cicak, 549 Sandpiper Lane, voiced his concerns about the developer not keeping their word as they've done in the past and asked if the township would be getting a written agreement from the developer.

Attorney Jones stated he is working on getting a written comprehensive agreement signed by both parties with details on the developers plan and work schedule to be approved at September's Board meeting.

C. Award Presentation – Jim Adams (Accreditation Program Coordinator) for the PA Chiefs of Police Association will present an accreditation certificate and premier Plaque to the Fairview Township Police Department

Jim Adams, Accreditation Program Coordinator for the PA Chiefs of Police Association presented an accreditation certificate and premier plaque to the Fairview Township Police Department. Mr. Adams stated there are 147 accredited agencies of approximately 1100 Police Departments in the Commonwealth. Fairview Township is also being promoted "Premier" status making them one of only twenty-four to achieve "Premier" status in the state.

D. Announcement of Award from the York County Conservation District

Mr. Martin stated that Fairview Township received the 2022 Outstanding Municipality Award for their efforts in the fulfillment of conservation initiatives as well as a certificate of congratulations from the York County Commissioners and a citation from Representative Dawn Keefer's office on behalf of the Pennsylvania House of Representatives.

Mr. Martin also stated the majority of the work was completed by the township's stormwater coordinator, Paul Rodrigo but also acknowledged the efforts of Steve Waller, Codes Director, Drew Bitner, Township Engineer, Mike Knouse, appointed Stormwater Engineer, Highway Staff, and the the Board for providing the the resources to accomplish these goals.

Cliff Ackman, 588 Nissel Lane, asked what the township accomplished to achieve this award.

Mr. Martin stated several of the green projects such as the installation of a rain garden, Lawn to Meadow Conversion, and assisting York County Conservation District (PACD and DEP) by providing locations to host their training for new E+S technicians from across the state.

E. Wireless Cell Phone Ordinance

This matter was tabled.

F. Penn Waste Update and Appeal of Penalty

Mr Martin updated the Board on the status of service by Penn Waste and that a fine was issued for missed homes over the last month. After meeting with Penn Waste, and receiving assurances that collection efforts in the Township will be a top priority, Penn Waste issued a letter to the Township offering additional services at no cost to the residents in lieu of paying the fine, with the understanding that the Township retained the right to fine in the future.

Mr. Jones made a motion, seconded by Mr. Pirritano to accept the offer of services by Penn Waste in lieu of paying the current fine levied against Penn Waste.
Vote on the motion: All Yes. The motion carried.

G. Building, Zoning, Codes:

1. Modification request – SLDO 260.26.D(3) - Driveway separation distance - Ian Smith – 121 Foxfire Lane

Mr. Jones made a motion, seconded by Mr. Cox to approve the driveway separation distance of 76 feet centerline to centerline of the driveways with a max width of each driveway being 20 feet.

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

2. Subdivision and Land Development Modification Request

| <u>Plan</u> | <u>Section/Description</u> |
|-----------------------|--|
| Pleasantview Phase IV | SWMO 252.12.A – Infiltrate volume Increase 2 year/24 hr storm |
| | SWMO 252.17.C(1)(f) – Level Spreader |
| | SWMO 252.19.D – Post development Flow During E & S Phase |
| | SLDO 260.10.A – Preliminary Plan |
| | SLDO 260.35.C(1)(i) – Fencing around Features |

Mr. Pirritano made a motion, seconded by Mr. Cox to approve modification request: SWMO 252.12.A – Infiltrate volume Increase 2 year/24 hr Storm; SWMO 252.17.C(1)(f) – Level Spreader; SWMO 252.19.D – Post development Flow During E & S Phase; SLDO 260.10.A – Preliminary Plan; SLDO 260.35.C(1)(i) – Fencing around Features.
Vote on the motion: All Yes. The motion carried.

3. Preliminary/Final Land Development Plan – Tractor Supply – Old York Road - #21-1011 (EXP. 8/29/22)

Mr. Jones made a motion, seconded by Mr. Cox to approve the Preliminary/Final Land Development Plan – Tractor Supply – Old York Road - #21-1011 (EXP. 8/29/22) 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 Township Staff memo dated February 25, 2022 and the Rettew Memo dated February 28, 2022.

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

4. Authorization to Advertise – Updates to the Fairview Township Stormwater Management Ordinance.

Mr. Allen made a motion, seconded by Mr. Cox to authorize staff to advertise the update to the Fairview Township Stormwater Management Ordinance.

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

5. Time Extension Request

| <u>Plan</u> | <u>Expiration Date</u> | <u>Extension Date</u> |
|--------------------------------|------------------------|-----------------------|
| PRD Phase IV | August 29, 2022 | October 31, 2022 |
| Wright Express – Lewisberry Rd | August 29, 2022 | December 5, 2022 |
| Melhorn – Cedars Rd | August 29, 2022 | October 31, 2022 |

Mr. Cox made a motion, seconded by Mr. Allen to approve the Time Extension request noted above.

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

H. Designate Trick or Treat Night:

Mr. Jones made a motion, seconded by Mr. Allen to designate Thursday, October 27th, 2022 from 6pm - 8pm as Trick-or-Treat Night for Fairview Township.

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

I. New Business Item

Mr Waller informed the Board of the written request received from Mr. Sisca to consider revising the ordinance in the Rural Living Zoning District with regard to chickens. At the direction of the Board, Mr Waller will look at surrounding municipalities ordinances on this matter and report back to the Board members at the next meeting.

J. Schedule Budget Meeting:

Mr. Pirritano made a motion, seconded by Mr. Allen to schedule and advertise Budget Meeting for Wednesday, October 5th, 2022 at 6:00 pm.

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

K. Resolution 2022-13 Sheepford Road Bridge Access to Township Roadway

Mr. Jones made a motion, seconded by Mr. Cox to adopt Resolution 2022-13 to allow the privately Owned Sheepford Road Bridge to encroach into the Township's public transportation right-of-way on Sheepford Road.

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

L. Resolution 2022-14 Establishing Minimum Municipal Obligation (MMO) for Pension Plans

Mr. Allen made a motion, seconded by Mr. Jones to approve Resolution 2022-14 Establishing the 2023 Minimum Municipal Obligation for the Police Pension Plan at \$151,882.00 and the non-uniform pension plan at \$ 0.00.

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

M. Ordinance 2022-3 Prohibit Parking at all times along a portion of Old York Road

Mr. Pirritano made a motion, seconded by Mr. Jones to advertise Ordinance 2022-3 Prohibit Parking at all times along a portion of Old York Road between Old Depot Road and Terrace Place.

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

N. Authorization to Bid – Traffic Control Signals

Mr. Cox made a motion, seconded by Mr. Allen to advertise the invitation to bid for Traffic Signals Maintenance and Repairs.

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

O. Collective Bargaining Agreement

Mr. Allen made a motion, seconded by Mr. Cox to approve the collective bargaining agreement between the Fairview Township Police Association and Fairview Township Board of Supervisors as presented for the period January 1st, 2023 through December 31st, 2027.

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

P. Disability and Life Insurance Policy for Non-Union Employees

Mr. Allen made a motion, seconded by Mr. Cox to approve the proposal with a 3 year rate guarantee from One America for the Short Term and Long Term Disability, Life and AD&D Insurance policies for the nonunion employees.

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

Q. Contract for Construction of Wash Bay

Mr. Pirritano made a motion, seconded by Mr. Allen to approve the contract with Pioneer Pole Buildings COSTARS Vendor Contract# 008-666 in the amount of \$420,932.00.

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

R. West Shore Recreation Commission 2023 Budget:

Mr. Jones made a motion, seconded by Mr. Allen to approve the West Shore Recreation 2023 budget, as presented, with a per capita contribution rate of \$3.00, for a total 2023 contribution of \$52,353.00.

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

VII. OLD BUSINESS

1. Mr. Jones asked when the old Mt. Zion school would be torn down.
Mr. Martin stated that abatement was complete and demolition would begin anyday.
Mr. Bitner added it should be completed around Labor Day.
2. Mr. Pirritano asked for an update on the American Rescue Funds.
Mr. Martin stated the second installment should arrive any day and the funds are to be expended by 2024.

VIII. NEW BUSINESS

There was no new business discussed.

IX. APPROVAL OF MINUTES

Mr. Cox made a motion, seconded by Mr. Jones to approve the minutes of the July 25, 2022 meeting of the Board of Supervisors.

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

X. RATIFICATION OF BILLS PAYABLE

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

Vote on the motion: All yes. The meeting was adjourned at 9:17 PM.