

**FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS
MINUTES
September 29, 2014 – 7:00 p.m.**

I. CALL TO ORDER:

The meeting was called to order by the Chairman, Mr. Stanley, at 7:05 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
Jason Loper, Chief of Police
Donna L. Nissel, Secretary

ABSENT: John W. Jones, Supervisor

IV. ANNOUNCEMENT OF EXECUTIVE SESSIONS:

09/25/14 – Police contract

V. RECOGNITION OF PUBLIC:

1. Sherri Moyer, Sunset View Drive, again expressed her objections to the Act 537 mandatory water connection and asked the status of the amendments. Mr. Jones advised that the ordinance will be ready for adoption at the October 16th meeting. Mrs. Moyer also said that she watched the budget meeting on-line and the audio quality was very poor.
2. Kathleen Clark, Lewisberry Road, made the Board aware of a bad experience she recently had with a contractor she hired to do renovations to her house. She said he did very shoddy work, left the job unfinished and filed bankruptcy before she was able to recover the money she had already paid him. She asked if the Township could stop him from doing work in the Township. Mr. Jones discussed her legal recourse and suggested she contact the Attorney General's office.
3. Jonathan Greer, Timber Ridge, asked about the status of the sewer and water projects. Mr. Smith advised that PAWC has awarded their contract to EK Services, but there is no timeline for construction. The sewer work should be done within the next six weeks and the roads will be repaired/repaved next summer and fall.

VI. AGENDA ITEMS:

1. Discussion – Land Use Assumption Report:

Frank Chlebnikow, Rettew, discussed the report and the York County comments. He will update and resubmit the report to York County Planning Commission. There will need to be a public hearing before adoption.

2. Ordinance No. 2014-10, Amending Various Sections of the Code of Ordinances:

Mr. Pirritano made a motion, seconded by Mr. Minito to adopt Ordinance No. 2014-10, Amending the following Chapters and Sections of the Code of Ordinances: Section 117-3, "Curfew Hours and Exceptions" and Section 117-7, "Violations And Penalties" of Chapter 117, "Curfew"; and Section 215-3, "Declaration of Nuisance;" Section 215-5, "Violations and Penalties," and Section 215-8, "Amendments" of Chapter 215, "Property Maintenance"; and Adding a New Section 215-8.1, "Violations and Penalties".

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

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS

September 29, 2014

Page -2-

3. Resolution No. 2014-18 - Minimum Municipal Obligation (MMO) – Pension Plans:

Mr. Pirritano made a motion, seconded by Mr. Allen to approve Resolution No. 2014-18, designating the 2015 MMO for the Police Pension Plan at \$272,974.00 and the Non-Uniform Pension Plan at \$347,807.00.

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

4. Approve West Shore Recreation Commission 2015 Budget:

Mr. Minito made a motion, seconded by Mr. Allen to approve the West Shore Recreation Commission's 2015 Budget as presented, with no increase in Fairview Township's per capita contribution rate of \$2.50, for a total 2015 contribution of \$41,670.00

5. Building, Zoning, Codes:

A. Bond Reduction/Release Request – Cedar Heights:

<u>Current Bond Amount</u>	<u>10% cont. held</u>	<u>Reduction Amount</u>	<u>Remaining Amount</u>
\$ 35,539.00	\$ 4,719.00	\$35,539.00	\$ 0.00

Mr. Minito made a motion, seconded by Mr. Allen to approve the bond reduction/release for Cedar Heights Subdivision as recommended by the Township Engineer contingent on the submittal of (3) three copies of Deeds Of Dedication for Cedar Heights Drive and related improvements; three (3) legal descriptions and plats of the same; 2 copies of stormwater as-builts with a completed plan certification statement by the design engineer noting any design changes OR noting the site has been constructed and is in compliance with the approved plans; completion of a maintenance agreement and placing of a maintenance bond in the amount of \$23,474.55 (15% of \$156,497.00) for an 18 month period.

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

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

Mr. Stanley made a motion, seconded by Mr. Minito to approve the planning module resolution, contingent upon the appropriate changes being incorporated into the agreement.

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

C. Discussion – Sign Ordinance:

Leroy Shaffer said that some of his customers have been notified that their digital signs are not in compliance with the timing of changes. He asked if the criteria could be changed. There was some discussion on the changing standards; Mr. Waller will research the matter.

6. Disposal of Surplus Vehicle:

Mr. Minito made a motion, seconded by Mr. Allen to approve the disposal of a 2000 Jeep Cherokee.

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

7. Contract Extension – Stewart & Tate:

Mr. Minito made a motion, seconded by Mr. Allen to extend the contract completion date from November 1, 2014 to July 31, 2015 for Seal Coat on Sawmill, Emanuel and Silver Lake Roads

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

FAIRVIEW TOWNSHIP BOARD OF SUPERVISORS

September 29, 2014

Page -3-

VII. OLD BUSINESS:

1. Mr. Minito advised that there will be a dedication ceremony at 12:00 noon on October 10th naming the bridge on Marsh Run Road as the Guy E. Shelley, Jr. Memorial Bridge.
2. There was discussion about the Michael Martin subdivision on Schoolhouse Lane pertaining to road widening. Mr. Bitner said that 10 years ago the original modification request was denied and widening would be required on both sides of the road at the Martin development. In January, 2006 the Board affirmed the denial of the modification request. In March, 2014 the Board voted to not require the road widening and release Mr. Martin's bond. Mr. Jones said it may not be legal to change the original decision. Mr. Pirritano made a motion, seconded by Mr. Allen to table this matter.
Vote on the motion: Mr. Pirritano and Mr. Allen, yes; Mr. Minito, no; Mr. Stanley, abstain. The motion carried.

VIII. NEW BUSINESS:

1. York County Convention – November 13, 2014

Mr. Smith asked the Board to notify the Secretary by October 15 if attending convention and / or class on Social Media, and meal choice of Roast Sirloin, Chicken Breast or Vegetarian.

2. Mr. Pirritano asked about leaf collection. He was advised that it will start the week of October 27th.

IX. APPROVAL OF MINUTES:

Mr. Pirritano made a motion, seconded by Mr. Minito to approve the minutes of the August 25, 2014 meeting of the Board of Supervisors.

Vote on the motion: Mr. Allen abstained as he was not present. All others, 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 retired employee 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 be an executive session following this meeting.

XII. ADJOURNMENT:

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

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