

**SUPERVISORS OF FAIRVIEW TOWNSHIP**

7471 McCray Road  
Fairview, PA 16415

Regular Meeting  
November 6, 2014  
9:00 A.M.

The regular meeting of the Supervisors of Fairview Township was called to order at 9:00 A.M. on November 6, 2014 by Chairman Peter D. Kraus, followed with the Pledge of Allegiance.

Present: Supervisors Ralph Heidler, Peter Kraus and Mark Gennuso;  
Secretary Pamela Rhoades; Engineer George Willis

Visitors: Morgan Eberlin; George Wilkosz; Shannon Rieger; John Laird;  
Lauren Steele; Grazyna Zieja

**CITIZENS CONCERNS/INQUIRIES:**

Mr. George Wilkosz is inquiring about the water that is running from the ball fields at Pleasant Ridge Park into the ditch on the northeast edge of the park property. Mr. Wilkosz states that the ditch needs cleaned out and asks if it is the responsibility of the Township even though it is private property. Urban Engineers will review the design of the land pre and post installation of the park to see if there is additional water draining off the fields on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous.

Mrs. Grazyna Zieja, 6655 Richardson Circle, is concerned about the changes going on at the School House Property and the water run off to her property to the north. She has an autistic child and is concerned about the storm water pond. Mr. Laird assured her that the pond will be a dry pond and there will be trees planted to separate her property from the School House property.

**MINUTES:** Minutes of the October 16, 2014 regular meeting were approved on motion by Mr. Heidler seconded by Mr. Gennuso. Unanimous.

**PAYMENT OF BILLS:** Unanimous approval was given for the payment of bills, per the list attached to the agenda, on motion by Mr. Heidler, seconded by Mr. Gennuso.

General Fund: \$ 7,889.06 Payroll 10/23/14 Checks #46499-46513  
3,390.29 Payables 10/23/14 Check #12437  
7,986.61 Payroll 10/30/14 Checks #46514-46529  
10,367.31 Payables 10/30/14 Checks #12438-12440  
7,992.05 Payroll 11/6/14 Checks #46531-46545  
320,470.56 TBP 11/6/14 Checks #12441-12494

Street Light Fund: \$ 4,123.80  
Fuel Surcharge Fund: \$ 344.85

**ENGINEER:**

Mr. Willis reported that he met with Mr. Smeeding, Fish & Boat Commission and Erie County Conservation, and everyone is in agreeance that Mr. Smeeding has some more work to do in the spring.

Mr. Willis reported that Charity is working on the crosswalk / sidewalk project at Evergreen Farms Subdivision and Route 98. She will meet with the Supervisors when she has information ready.

Mr. Willis reported that Bruce & Merrillee have signed the contract for the Route 5 & Manchester Rd traffic signal replacement to be done Spring 2015.

Mr. Willis reported that Andy Holland & Mark Gennuso were at Peppino's last week and there was no measurable light from the parking lot lights. There is fugitive light though. The Township asked the owner of Peppino's to shield the lights and he agreed to look into shields. If he purchases the shields, then the Township will not send a violation letter to Peppino's owner.

**PLANNING & ZONING:**

School House – Phase 1 Stormwater was tabled while waiting for HOP from PennDOT.

Evergreen Farms – Phase 4 Subdivision was tabled while waiting for plans from County Planning and Letter of Credit adding Phase 4 and reducing Phase 3.

**SECRETARY:**

The Supervisors unanimously approved Resolution No. 14A-2014 – Modification of Resolution 14-2014 to correct typographical error on motion by Mr. Heidler, seconded by Mr. Gennuso.

**FAIRVIEW TOWNSHIP  
RESOLUTION NO. 14A-2014**

**A RESOLUTION CREATING AN AGRICULTURAL SECURITY AREA  
WITHIN THE TOWNSHIP OF FAIRVIEW, ERIE COUNTY, PENNSYLVANIA**

WHEREAS, pursuant to Act 43 of 1981, as amended, known as the Agricultural Area Security Law, Darryl Leopold, Lisa Leopold, Donald Leopold, Daniel Leopold & Elaine Leopold, certain owners of real properties (ID No. 21-72-136-3; 21-72-136-3.01; 21-71-124-21) situated in Fairview Township, Erie County, Pennsylvania, have proposed the creation of an Agricultural Security Area within Fairview Township; and

WHEREAS, the Fairview Township Board of Supervisors received said proposal and referred it to the Agricultural Security Advisory Committee; and

WHEREAS, the Fairview Township Board of Supervisors duly notified the public of said proposal, and referred the said proposal to the Fairview Township Planning Commission and to the Agricultural Security Area Advisory Committee for review; and

WHEREAS, the Fairview Township Planning Commission and the Agricultural Security Area Advisory Committee submitted recommendations to the Fairview Township Board of Supervisors with respect to the proposed Agricultural Security Area; and

WHEREAS, pursuant to Act 43 of 1981, as amended, on September 18, 2014, the Fairview Township Board of Supervisors conducted a duly advertised public hearing relative to the proposed Agricultural Security Area and the recommendations thereto from the Fairview Township Planning Commission and the Agricultural Security Area Advisory Committee; and

WHEREAS, all procedures and requirements of Act 43 of 1981, as amended, have been met and satisfied; and

WHEREAS, Act 43 of 1981, as amended, grants to the Fairview Township Board of Supervisors the authority to adopt, modify or reject the said proposal or any modifications thereto that they deem appropriate; and

NOW, THEREFORE, BE IT RESOLVED AND ENACTED, by the Board of Supervisors of Fairview Township, Erie County, Pennsylvania, and to the extent set forth below, the said proposal is hereby adopted as subsequently modified; and

BE IT FURTHER RESOLVED AND ENACTED, and it is hereby resolved and enacted, that the said Agricultural Security Area shall include an aggregate total of 104.44 acres comprised only of designated properties listed and described on the attached document entitled "Description of Fairview Township Agricultural Security Area," which by this reference is incorporated herein and made a part of this Resolution as if fully set forth; and

BE IT FURTHER RESOLVED AND ENACTED, and it is hereby resolved and enacted, that in addition to the periodic review of the said Agricultural Security Area set forth in Act 43 of 1981, as amended, the said Agricultural Security Area will be reviewed the seventh year hereafter in accordance with terms of Act 43 of 1981, as amended.

**The Supervisors unanimously approved Resolution No. 18-2014 – Disposition of Records on motion by Mr. Heidler, seconded by Mr. Gennuso.**

**RESOLUTION NO. 18-2014**

**THE DISPOSITION OF RECORDS FOR  
FAIRVIEW TOWNSHIP**

WHEREAS, pursuant to The Municipal Records Act (53 P.S. §§9001-9010), Fairview Township is required to pass a resolution to dispose of records.

WHEREAS, Fairview Township intends to follow the schedule as set forth in the act,

BE IT RESOLVED, that the Supervisors of Fairview Township do hereby resolve to dispose of the following records:

2010 Revenue – Refunds and Reimbursements  
2010 Revenue – Miscellaneous  
2010 Pipe Invoices  
2010 Revenue Permits  
2010 Revenue Fines  
2010 Revenue LST  
2010 Revenue EIT  
2002/2003 Street Light Assessment  
2007 Cash Receipts Journal  
2007 Tax Assessment Report  
2010 Meeting Agendas  
2010, 2011 & 2012 Gasoline & Diesel Reports  
PA One Call Up to 2014  
2010, 2011 & 2012 Accounts Payable Reports  
2010, 2011 & 2012 Payroll reports

**The Supervisors unanimously approved the 2015 Preliminary Budget on motion by Mr. Heidler, seconded by Mr. Gennuso.**

**UNFINISHED BUSINESS: None**

**NEW BUSINESS:**

Mr. Kraus reported that there's an issue of dogs running freely at Pleasant Ridge Park. The dogs are jumping on people and other dogs. The Supervisors have decided to install "Dogs Must Be On A Leash" signs at the park and install cameras.

The Supervisors unanimously approved hiring Ed Gamble to snowblow the sidewalks at the rate of \$18.00/hr on motion by Mr. Gennuso, seconded by Mr. Heidler.

**SUPERVISORS' REPORT:**

Mr. Heidler reported that the salt/sand is mixed and ready to go.

Mr. Gennuso reported that the second handicapped railing has been installed at Avonia Beach.

Mr. Gennuso reported that Fairview Township has formally exited the Erie County Council of Government as of October 16, 2014. North East Township has also exited.

Mr. Gennuso reported that the Supervisors have selected a person for the Assistant Zoning Officer position. That person will officially be hired at the next meeting.

Mr. Kraus reported that the tornado siren is installed and only needs the antenna.

Mr. Kraus reported that there is a drainage problem along the south and west side of the Pine Grove Subdivision and it is flooding the Evergreen Nursery property. Urban Engineers will visit the site and inform us of the situation.

**PUBLIC COMMENT:**

Mr. George Wilkosz would like to use the Township Building for the PA Hunter Safety Classes at no cost. The Supervisors stated that they will discuss this and seek solicitor opinion.

The meeting was adjourned at 10:40 A.M. Motion by Mr. Heidler, seconded by Mr. Gennuso.

Respectfully submitted,

Pamela S. Rhoades  
Secretary