

SUPERVISORS OF FAIRVIEW TOWNSHIP

7471 McCray Road
Fairview, PA 16415

Regular Meeting
October 16, 2014
9:00 A.M.

The regular meeting of the Supervisors of Fairview Township was called to order at 9:00 A.M. on October 16, 2014 by Chairman Peter Kraus, followed with the Pledge of Allegiance.

Present: Supervisors Ralph Heidler, Peter Kraus and Mark Gennuso;
Secretary Pamela Rhoades; Zoning Administrator James Cardman;
Solicitor Paul Burroughs

Visitors: Loretta Barile; Tom Barile; John Leemhuis; Kevin Tessner; Paul Kelley; John & MaryBeth Clifton; Erie & Gail Root; Lauren Steele

PUBLIC HEARING TO APPROVE THE TRANSFER OF RESTAURANT LIQUOR LICENSE R-4332 FROM UNION CITY TO FAIRVIEW TOWNSHIP FOR 1897 EVENTS, LLC FOR THEIR PROPERTY AT 6610 WEST LAKE RD - RESOLUTION 13-2014

The regular meeting was closed and the hearing for the Ordinance opened at 7:07 P.M. on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous.

The Stenographer took minutes of the hearing. The hearing was closed and the regular meeting was opened at 7:24 P.M. on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous.

The Supervisors unanimously approved the adoption of Resolution No 13-2014 on motion by Mr. Heidler, seconded by Mr. Gennuso.

CITIZENS CONCERNS/INQUIRIES:

Lauren Steele is concerned with the outside lighting at Peppino's shining on her property. The Supervisors agreed to have Urban Engineers inspect the glare of the lights at this location.

MINUTES: Minutes of the October 2, 2014 regular meeting and October 8, 2014 workshop meeting were approved on motion by Mr. Gennuso, seconded by Mr. Kraus. 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: \$ 7,821.38 Payroll 10/09/14 Checks #46467-46482
3,273.43 Wire Transfers
8,088.72 Payroll 10/16/14 Checks #46483-46498
160,541.43 TBP 10/16/14 Checks #12399-12436

Street Light Fund: \$ 1,805.39
Fuel Surcharge Fund: \$ 100.00

TREASURER'S REPORT: Approved, as presented on motion by Heidler, seconded by Mr. Gennuso. Unanimous

SOLICITOR:

Atty Burroughs received notification that the Scobey Property is on the list of Lien-Free Sheriff Sales for December 2014. Ms. Gimber is still trying to sell the property. The Supervisors agreed to let the process run its course and see what happens.

PLANNING & ZONING:

The Supervisors unanimously approved the Planning Module for the Weiss Subdivision on motion by Mr. Gennuso, seconded by Mr. Kraus. Mr. Heidler abstained from voting due to the fact the he was the surveyor for the property.

The Supervisors unanimously approved the Weislogel's Re-Plot pending approval from Erie County Planning on motion by Mr. Gennuso, seconded by Mr. Kraus. Mr. Heidler abstained from voting due to the fact the he was the surveyor for the property.

SECRETARY:

Correspondence was received from Paul & Tracy Kelley concerning the speed on Route 5. After discussion, the Supervisors unanimously agreed to make a formal request to PennDOT to review the speed on Route 5 on motion by Mr. Gennuso, seconded by Mr. Heidler.

Correspondence was received from Paul & Tracy Kelley concerning the height of shrubs at the northeast side of the entrance to the Commons. Mr. Cardman has spoken to the owners of the property and asked them to trim the shrubs, but they are not in violation of the clear site triangle.

UNFINISHED BUSINESS:

The Township passed the MS4 Stormwater Compliance Inspection with rave reviews.

NEW BUSINESS:

The Supervisors unanimously approved the purchase of security cameras for Pleasant Ridge Park on motion by Mr. Heidler, seconded by Mr. Kraus. The proposal price is \$4,980.00. The Supervisors agreed to purchase an additional 8 terabyte hard drive, not to exceed \$1,000.00.

The Supervisors unanimously denied Resolution No. 16-2014 – Amending the By-Laws of the Erie County Council of Government on motion by Mr. Gennuso, seconded by Mr. Heidler.

RESOLUTION 16-2014

**A Resolution to approve an Amendment of the
By-Laws of the Erie Area Council of Governments dated
November 5, 2014.**

WHEREAS, Fairview Township is a member of the Erie Area Council of Governments (EACOG); and

WHEREAS, the EACOG has proposed to Amend its By-Laws in order for the By-Laws to reflect the method of withdrawal of membership as follows; and

ARTICLE IV – MEMBERSHIP

D. Withdrawal: Erie Area COG members shall have the right to withdraw from the Erie Area COG at the end of any calendar year by giving twelve months prior written notice to the Erie Area COG Chair and the Administrator. This notice shall be in the form of an ordinance approved by the governing body of the organization. Withdrawal will in no way serve to void or lessen any previous financial obligation incurred as a member of the Erie Area COG; and

WHEREAS, the Amended By-Laws will be voted upon for approval at the EACOG's General Assembly Meeting of November 5, 2014 ; and

WHEREAS, Fairview Township has reviewed the proposed Amendment to the By-Laws dated November 5, 2014, and finds it to be in good order; and

IT IS HEREBY RESOLVED by the Fairview Township, Erie County, Pennsylvania that the proposed Amendment to the By-Laws dated November 5, 2014 is approved by Fairview Township.

ADOPTED this 16th day of October, 2014.

The Supervisors unanimously approved Resolution No. 17-2014 – Withdrawing from the Erie Area Council of Government on motion by Mr. Gennuso, seconded by Mr. Heidler, effective immediately.

**FAIRVIEW TOWNSHIP
RESOLUTION NO. 17-2014**

A RESOLUTION TO WITHDRAW FROM THE ERIE AREA COUNCIL OF
GOVERNMENTS.

WHEREAS, Fairview Township, pursuant to ordinance 98-24, became a member of the Erie Area Council of Governments (EACOG); and

WHEREAS, Fairview Township has determined that it is no longer in the best interest of Fairview Township to remain a member of the EACOG at this time; and

WHEREAS, Fairview Township recognizes it may remain a participant in certain programs of the EACOG and that it has financial obligations under the programs and may, in the future, consider an ordinance or ordinances withdrawing from one or more of the programs as the current bylaws provide.

NOW, THEREFORE, having considered its membership in the EACOG, IT IS HEREBY RESOLVED AND ENACTED by the Board of Supervisors of Fairview Township, Erie County, Pennsylvania, that it withdraws its membership in EACOG effective immediately but shall continue to honor those financial obligations for programs, if any, in which it participates.

RESOLVED and ENACTED this 16th day of October, 2014, by the Board of Supervisors of Fairview Township, Erie County, Pennsylvania.

SUPERVISORS' REPORT:

Mr. Heidler made motion to purchase a new pick-up truck through the PA State Contract Program at the cost of \$32,405.00, seconded by Mr. Gennuso.
Unanimous.

Mr. Heidler received a phone call from a resident in Evergreen Farms Subdivision concerned about the safety of people crossing Route 98 in front of the Fairview School District. Mr. Heidler made motion to contact PennDOT, asking for a crosswalk and an adjustment to the timing of the 15 MPH flashing light, seconded by Mr. Gennuso. Unanimous.

Mr. Gennuso reported that 8 candidates have been selected for interviews for the Assistant Zoning Officer position.

Mr. Gennuso reported that the County has received 25 Relco Lights and the remaining lights should arrive by the end of the year.

Mr. Kraus reported that the Route 98 & Sterrettania Road realignment request to the MPO on October 15, 2014 went very well.

Mr. Kraus reported that the Tornado Siren will remain at the Fairview Evergreen Nursey site on Route 20.

The meeting was adjourned at 11:32 A.M. Motion by Mr. Heidler, seconded by Mr. Gennuso.

Respectfully submitted,

Pamela S. Rhoades
Secretary