

SUPERVISORS OF FAIRVIEW TOWNSHIP

7471 McCray Road
Fairview, PA 16415

Regular Meeting
September 18, 2014
7:00 P.M.

The regular meeting of the Supervisors of Fairview Township was called to order at 7:00 P.M. on September 18, 2014 by Chairman Peter D. 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: See Attached List

PUBLIC HEARING TO APPROVE THE RE-ZONING REQUEST FOR THE KIDDO PROPERTY LOCATED ON AVONIA ROAD IN FAIRVIEW TOWNSHIP – FROM B-1 HEIGHBORHOOD BUSINESS DISTRICT TO B-2 HIGHWAY COMMERCIAL DISTRICT – ORDINANCE NO. 2014-5

The regular meeting was closed and the hearing for the Ordinance opened at 7:01 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 7:28 P.M. on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous.

The Supervisors unanimously approved Ordinance No. 2014-5 on motion by Mr. Heidler, seconded by Mr. Gennuso.

PUBLIC HEARING TO APPROVE THE REQUEST OF THE LEOPOLD'S TO ADD 104.44 ACRES TO THE AG SECURITY AREA – RESOLUTION NO. 14-2014.

The regular meeting was closed and the hearing for the Resolution opened at 7:29 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 7:37 P.M. on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous.

The Supervisors unanimously approved the adoption of Resolution No. 14-2014 on motion by Mr. Heidler, seconded by Mr. Gennuso.

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

**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.

CITIZENS CONCERNS/INQUIRIES: None

MINUTES: Minutes of the September 4, 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: \$ 8,265.50 Payroll 9/11/14 Checks #46380-46397
 4,401.07 Payables 9/11/14 Checks #12328-12329
 9,387.45 Payroll 9/18/2014 Checks #46398-46415
 556,334.31 TBP 9/18/14 Checks #12330-12367

Street Light Fund: \$ 108.85

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

SOLICITOR:

Atty Burroughs has reviewed a Water Lease & Easement Agreement between the City Of Erie & Fairview Township and Fairview Township Water Authority regarding the existing water well at Pleasant Ridge Park, and has some changes to make before the Supervisors sign. This will be tabled until the October 2, 2014 meeting on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous

PLANNING & ZONING: None**SECRETARY:** None**UNFINISHED BUSINESS:**

The Supervisors unanimously agreed to sign the 3 year contract for gas & diesel service from Melzer's Fuel on motion by Mr. Heidler, seconded by Mr. Gennuso.

NEW BUSINESS:

The Supervisors unanimously agreed to retract a motion from July 17, 2014 to contact Urban Engineers and have them draft a letter to the MPO requesting support to upgrade the intersection at Route 98 & Sterrettania Road; and submit a PennDOT application for a traffic signal study based on Urban Engineers recommendations. A new motion was made to request a re-alignment of Route 98 at the next MPO meeting and request flashing warning devices in advance of stop signs east and west bound on Sterrettania Road / Tannery Road, as the crash patterns are not those that can be resolved by a traffic signal on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous

The Supervisors unanimously approved tabling Resolution No. 13-2014 – approving 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. until the October 2, 2014 meeting so that a hearing can be held, on motion by Mr. Heidler, seconded by Mr. Gennuso.

The Supervisors received a letter from James & Kathleen Longley requesting a speed limit reduction on Route 5 in Fairview Township. Being that Route 5 is a state road, this approval must come from PennDOT. There was also discussion about the speed traveled on Tannery Road. Therefore, motion was made to contact PennDOT requesting a speed reduction to both Route 5 and Tannery Road on motion by Mr. Heidler, seconded by Mr. Gennuso. Unanimous

The Supervisors unanimously agreed to order a New JCB 3CX14 Super Backhoe Loader with trade in of New Holland B95 Backhoe Loader, final cost being \$62,629.45 (plus freight) on motion by Mr. Heidler, seconded by Mr. Gennuso.

Mr. Kraus received a phone call from Mrs. Butts at 6685 West Ridge Rd requesting a "Hidden Driveway" sign. Being that this is a state road, we must contact PennDOT for their permission.

SUPERVISORS' REPORT:

Mr. Heidler reported that salt and sand are being delivered and stockpiled in the salt barn.

Mr. Gennuso reported that Urban Engineers has submitted a new map of the Township roads. We have just a few additions to make and then it will be ready to print.

Mr. Gennuso reported that the Township has advertised for the Assistant Zoning Officer position and 25 resumes' have been received at this time.

Mr. Gennuso reported that Saturday, September 20, 2014 is the International Coastal Cleanup Day. The Township will be cleaning the beach at Avonia Beach Park.

Mr. Kraus reported that Chivers Construction was the low bidder for the Route 20 Sewer Project at the price of \$612,908.50.

The meeting was adjourned at 8:48 P.M. Motion by Mr. Heidler, seconded by Mr. Gennuso.

Respectfully submitted,

Pamela S. Rhoades
Secretary