



FAIRFIELD TOWNSHIP REGULAR MEETING HELD ON JUNE 12, 2008



- I. MEETING CALLED TO ORDER AT 7:00 PM BY PAUL ALTIMUS, CHAIRMAN.**
- II. ROLL CALL:** PAUL ALTIMUS-PRESENT JAMES BROWN-PRESENT SOLICITOR-PRESENT
VAUGHN TANTLINGER-PRESENT SECRETARY (EJB)-PRESENT CITIZENS-9
- III. PREVIOUS MONTHS MEETING HELD ON MAY 8, 2008; APPR BY VAUGHN, 2ND BY JAMES, UNAN-YES.**
- IV. TRUE BILLS PAID AND TO BE PAID ON THE FINANCIAL STATEMENT DATED MAY 2008: APPR. BY PAUL, 2ND BY VAUGHN, UNAN-YES.**
- V. CORRESPONDENCE: NONE**
- VI. PERSONS PLACED ON AGENDA: 1. BARB KERR**—ISSUE IS THE ALLEYS IN WEST BOLIVAR, MONTH AGO NEIGHBOR SCOOPED UP THEIR DIRT FROM THE ALLEY WHICH SHE SAID IS TWP DIRT, BUT SHE WANTS TO KNOW WHY A PERSON CAN DO THAT WITHOUT ANY KNOWLEDGE TO THE PERSON ADJACENT TO THAT ALLEY PROPERTY. SHE HAS NOT RECEIVED ANY ANSWERS, WHAT CAN TWP TELL HER ABOUT IT, ARE THERE ANY RULES—SHE KNOWS TWP IS NOT RESPONSIBLE FOR THE ALLEYS, BUT ARE THERE GUIDELINES TO FOLLOW EXCEPT FOR COURTESY? SOLICITOR STATED THEY HAD ALREADY DISCUSSED ON THE PHONE, AFRAID HE CAN NOT GIVE HER ANY MORE ANSWERS NOW. THE ALLEY WAYS HAVE BEEN OPEN FOR PUBLIC USE, IT DOES NOT MAKE THEM TOWNSHIP ALLEYS. BUT SHE HAS A RIGHT TO USE THE ALLEY AND SO DO THE NEIGHBORS, IF SOMEONE BLOCKS OR ALTERS IN SOME WAY—THEY HAVE A PRIVATE RIGHT OF ACTION, MEANING YOU HIRE AN ATTORNEY AND CAN SUE YOUR NEIGHBOR FOR DAMAGE TO THE ALLEY OR THE ENCROACHMENT HE HAS MADE ONTO YOUR PROPERTY. BARB SAID HE REMOVED ABOUT 18 INCHES. SOLICITOR SAID YOU CAN SUE YOUR NEIGHBOR FOR THE DAMAGE HE DID TO YOUR PROPERTY AND IN ADDITION HAVE THE PROPERTY REPAIRED AT NEIGHBORS EXPENSE. BARB ASKED ABOUT A PARKED TRUCK IN THE ALLEY THAT HAS BEEN THERE FOR YEARS AND HAS NEVER MOVED, IT IS A BIG TRUCK. JEFF SAID WHOEVER WANTS TO USE THAT END OF THE ALLEY AND THE TRUCK OBSTRUCTS THE ALLEY—FIRST GO TO THE NEIGHBOR AND ASKED THEM TO REMOVE THE TRUCK, IF THAT FAILS—THAT INDIVIDUAL CAN SUE THAT NEIGHBOR FOR BLOCKING THE ALLEY. BARB ASKED IF THE TWP COULD TELL THE M TO MOVE THAT TRUCK, JEFF SAID NO THEY WOULD HAVE NO BASIS TO TELL THEM TO MOVE THE TRUCK. THE TWP HAS NO AUTHORITY OR RIGHTS TO TELL PEOPLE TO OPEN OR NOT TO OPEN THEM. IF THE TWP WISH TO CLAIM THE ALLEYS, THEY WOULD HAVE TO TAKE THEM BY FORCE AND PAY LANDOWNERS COMPENSATION FOR THEM. THEY WOULD ALSO HAVE TO CLEAN OFF ANYTHING WITHIN 33 FT. TO GET THEM TO THE LEGAL WIDTH. TOM ASKED WHO OWNS THE ALLEYS, SOLICITOR SAID GENERALLY THE TITLE TO THE CENTER OF THE ALLEYWAY GOES TO THE ABUTTING PROPERTY OWNERS, WHILE YOU MAY OWN IT—THERE IS STILL THE PUBLIC RIGHT OF WAY, AND YOU ARE NOT PERMITTED TO BLOCK IT OFF, ANYONE ON THAT SUBDIVISION WOULD HAVE THE RIGHT TO USE THE ALLEY. SOLICITOR SAID YOU COULD FIND THE WIDTH POSSIBLY ON THE DEED. TOM SAID THEN AS A COURTESY TO THE PERSON BEHIND YOU, IT WOULD HAVE TO STAY OPEN. TOM ASKED DOES THE PERSON ON THE CENTER HAVE THE RIGHT TO MAKE IT WIDER BY TAKING SOME OF THE END OF PROPERTY? SOLICITOR SAID THEY CAN NOT MAKE IT ANY WIDER THAN IT WAS. SECRETARY ASKED SOLICITOR IF COUNTY WOULD HAVE ANY GUIDELINES FOR ALLEYS, LIKE WHEN A SUBDIVISION GOES THRU—THEY HAVE TO HAVE A 50 FT RIGHT OF WAY, THEY CAN CHECK WITH THE COUNTY TO SEE IF THERE WAS ANY ALLEYS IN THE SUBDIVISION PLAN. BARB SAID SHE UNDERSTANDS THE TWP CAN NOT DO ANYTHING, SO THEY WILL PROBABLY HAVE TO SEEK LEGAL ACTION AND THEY HAD A THEIR PROPERTY SURVEYED SO IF THEY WANTED TO PUT THE DIRT BACK—WOULD THERE BE ANY REPERCUSSIONS ON THEM? SOLICITOR SAID IF THE SURVEY SAYS IT IS THEIR PROPERTY, THEN THEY SHOULD HAVE NOTHING TO WORRY ABOUT. BARB SAID THEY WOULD NEVER BLOCK HER NEIGHBORS.
- VII. OLD BUSINESS: 1.** TWP SUPERVISORS RECEIVED RESPONSE LETTER FROM DEP FROM THE LETTER THE TWP SENT ASKING THEM TO NOTIFY US OF PERMIT ISSUED TO GREAT LAKES-NOW RANGE RESOURCES. THE LETTER TOLD TWP THAT ONCE IT HITS THE PA BULLETIN, YOU CAN REQUEST A HEARING. **2. WEBSITE** FOR THE TOWNSHIP IS IN PROGRESS, TWP IS GOING THRU TODD WILKINS—IT WILL BE UNDER fairfieldtwp.com FROM LIGONIER WEB. TWP HAS TO GET INFORMATION TO HIM.
- VIII. NEW BUSINESS: 1. RESOLUTION #1-2008** SEWAGE COMPONENT FOR RICHMOND FARMS THEY EXCEEDED 10 SEPTIC SYSTEMS ON ONE PARCEL AND HAS TO BE APPROVED BY DEP, IN REVIEWING WITH THE TWP SEO, HE SEES NO PROBLEM WITH THE PAPERWORK. PAUL MADE A MOTION TO APPROVE RES. #1-2008 RICHMOND FARMS SEWAGE COMPONENT CONTINGENT UPON THE REVIEW OF THE SEWAGE ENFORCEMENT OFFICER, 2ND BY VAUGHN, UNAN-YES. **2. COSTAR**—TWP HAS REGISTERED WITH COSTAR (COM. OF PA. DEPT. OF GENERAL SERVICES). VAUGHN SAID TWP ASKED PENDOT REP TO EXPLAIN THE STATE PIGGY BACK PROGRAM FOR THE PURPOSE OF POSSIBILITY OF PURCHASING A NEW 4 WHEEL DRIVE PICKUP TRUCK. THE TWP CAN LOOK ONLINE AND THEN GET A TRUCK UNDER THE STATE CONTRACTS. VAUGHN ASKED SOLICITOR IF THEY WOULD HAVE TO MAKE A MOTION TO PURCHASE THIS THROUGH THE STATE PROGRAM, SECRETARY SAID THEY DID. SOLICITOR SAID THEY DO NOT HAVE TO ADVERTISE BECAUSE IT WOULD HAVE BEEN ADVERTISED THROUGH THE STATE, BUT THEY ABSOLUTELY WOULD HAVE TO APPROVE AT A PUBLIC MEETING IF THEY ARE GOING TO PURCHASE IT. VAUGHN MADE A MOTION TO START THE PROCESS TO PURCHASE A 4 WHEEL DRIVE PICKUP TRUCK THRU ONE OF THE PIGGY BACK STATE CONTRACT, 2ND BY JAMES, UNAN-YES. MAUREEN ASKED IF THERE WAS A REASON WHY THEY WAITED SO LONG TO BUY THIS VEHICLE WHEN TWP NEED ONE, IF THIS PROGRAM WAS AVAILABLE? PAUL SAID COSTARS IS ACTUALLY ONLY 18 MONTHS OLD—STATE CONTRACTS HAVE BEEN AROUND FOR A LONG TIME. SECRETARY STATED THEY DID PURCHASE OTHER TRUCKS AS THEY NEEDED. PAUL SAID THEY PRIORITIZED. **3.** PAUL ANNOUNCED TWP REGISTERED

WITH DEP WEBSITE. SECRETARY EXPLAINED THAT IN THE LATEST TWP NEWS MAGAZINE THEY HAD AN ARTICLE REGARDING GAS WELLS, THEY HAD A LIST OF WEBSITES FOR DIFFERENT THINGS, AND ONE WAS WITH THE DEP TO CHECK FOR NOTIFICATION OF PERMITS ISSUED OR CHANGED IN THE TOWNSHIP OR COUNTY. WHEN TWP GETS THE INFORMATION YOU HAVE TO CLICK ON EACH ONE TO SEE WHAT IT IS FOR, THE LOCATION AFFECTED, ETC. WHICH IS TIME CONSUMING AND SECRETARY STATED SHE COPIES THE INFORMATION AND GIVES IT TO THE SUPERVISORS TO GIVE THEM AN IDEA ON WHAT IS GOING ON IN OUR AREA AND SURROUNDING AREAS. VAUGHN ANNOUNCED SECRETARY COPIED THE ARTICLE OUT OF THE TWP NEWS MAGAZINE FOR ANYONE INTERESTED TO TAKE. SECRETARY STATED THE TWP GETS ALOT OF GUIDANCE AND INFORMATION FROM THE PSATS, ANYONE CAN GO TO THE SITE AND CHECK OUT INFORMATION, IT MAY EVEN HAVE INFORMATION REGARDING ALLEYS. PAUL SAID TWP NEWS IS ON LINE, BUT THEY ARE BEHIND ABOUT 2 MONTHS BEHIND. TOWNSHIP HAS JOINED TO LOOK INTO PAST MAGAZINES.

PUBLIC COMMENT: 1. BARB SCARF 2. TOM SCARF 3. DEB GAWLAS-FIRE TAX – PAUL SAID NO NEWS. DEB ASKED IF TWP WAS GOING TO TAKE ANY ACTION ON IT. PAUL SAID HE HAS NO DESIRE. DEB ASKED IF TWP WANTED TO CONSIDER PASSING A 1/2 MILL OR SOMETHING. PAUL SAID THAT HAS NOT BEEN DISCUSSED, IT IS USUALLY DONE DURING THE BUDGET. SECRETARY STATED SHE STARTS WORKING ON IT IN OCTOBER AND IT HAS TO BE ADOPTED IN NOVEMBER & DECEMBER. PAUL SAID TO BRING IT UP IN AUGUST. JEFF SAID THE ORDINANCE WOULD HAVE TO BE ADVERTISED AND SENT TO THE COUNTY. SECRETARY STATED THAT IF TWP DOES PASS SOMETHING LIKE THAT, WOULD A PERCENTAGE BE GIVEN TO THE FIRE COMPANIES THAT REPRESENT FAIRFIELD. DEB SAID SHE KNOWS THAT EAST WHEATFIELD HAS A FIRE TAX THAT STARTED OUT 1/2 MILL NOW IT IS 3 MILL, BUT IT HELPED BUILD A NEW FIRE HALL, EQUIPMENT THAT THEY NEEDED; AND SHE ALSO KNOWS WHAT IT WOULD COST IF THERE WAS NO FIRE COMPANY THERE, AND SHE FEELS THE \$5 OR \$10 A YEAR IS WORTH IT. SECRETARY ALSO STATED THAT THE FVFC REQUESTED THE TWP TO PASS AN ORDINANCE PERMITTING THEM TO BILL INSURANCE COMPANIES ON CALLS THEY RESPONDED TO, TWP PICKED UP THE EXPENSE OF ADVERTISING, SOLICITOR PREPARE ORDINANCE; IT WAS ALL COMPLETED AND THEY NEVER DID ANYTHING WITH THAT ORDINANCE, THEY WERE TO HANDLE BILLING IN HOUSE, THEN THEY COME IN A FEW MONTHS AFTER IT WAS ENACTED AND WANTED THE TWP TO PAY FOR SOMEONE TO COLLECT THE MONEY. DEB SHE WOULD NOT WANT TO SEE THE FIRE COMPANY DISAPPEAR, SECRETARY SAID SHE WOULD NOT EITHER—WE LOST AN AMBULANCE COMPANY DOWN IN BOLIVAR AREA, AND PEOPLE DID NOT SHOW AN INTEREST WHEN THEY ASKED FOR HELP. DEB ASKED ABOUT THE LOGGING COMPANY CREATING DUST AND SPEEDING ON STIFFLER ROAD. PAUL SAID THIS IS THE FIRST HE HEARD OF THE SPEEDING. VAUGHN SAID WHEN HE SEES THEM FULL GOING PAST HIS HOUSE THEY ARE GEARED DOWN, IT IS WHEN THEY ARE EMPTY HE SEES THEM SPEED. VAUGHN SAID THEY SAID SOMETHING ABOUT BEING THERE ANOTHER MONTH ABOUT A WEEK AGO. THEY HAVE SOME ROAD WORK TO DO ON KEIPER ROAD. DEB ASKED ABOUT THE DUST PROBLEM. VAUGHN SAID HE WOULD CALL THEM TOMORROW. MIKE SHAPIRO SAID THEY SLOWED DOWN WHEN HE WAS ON HIS GATER AND GAVE HIM TIME TO GET OUT OF THE WAY, THEY WERE DEFINITELY UNDER CONTROL. **4. MICHAEL SHAPIRO 5. ANN MARIE BLON 6. MAUREEN BLON 7. PAULA BROWN 8. ERN HENDERSON 9. MIKE McCREERY** PRESENTED A PETITION WITH ABOUT 14 DIFFERENT ADDRESSES ON HYPOCRITE CREEK ROAD TO CHANGE THE NAME TO WYNN ROAD, AFTER GEORGE WYNN. WYNN OWNED HIS FARM AND HE WAS AROUND FOR A VERY LONG TIME. PAUL ASKED SOLICITOR ON CRITERIA ON CHANGING THE NAME OF THE ROAD. SOLICITOR SAID HAVE TO AMEND AN ORDINANCE, SECRETARY SAID 911 WOULD ALSO HAVE TO BE NOTIFIED AND EVERY RESIDENT WOULD HAVE TO CHANGE THEIR ADDRESS. SOLICITOR SAID POSTAL DELIVERY ALSO. VAUGHN SAID ACCORDING TO DAN STEVENS IT CAN BE DONE, BUT TWP WOULD HAVE TO CHECK ON THE NAME AVAILABILITY WITH 911 ALSO. SOLICITOR SAID THERE WOULD BE SOME EXPENSES WITH ORDINANCE AND ADVERTISING. PAUL SAID TO LEAVE THE INFORMATION AND TWP WOULD CHECK INTO IT. MIKE SAID GEORGE WYNN OWNED HIS FARM AND HE BUILT A POND AND OPENED IT UP TO ANYONE FOR FISHING AND HE THOUGHT IT WOULD BE NICE TO GIVE IT A NAME WITH SOME HISTORY. PAUL SAID HE DID NOT FORGET ABOUT HIM ON HIS GRATE. PAUL ASKED HIM IF HE WAS DIGGING IT THIS YEAR, PAUL SAID IT ORIGINALLY PROBABLY WAS THE PROPERTY OWNERS.

ADJOURNMENT: MOTION TO ADJOURN BY PAUL, 2ND BY JAMES, UNAN-YES

PRESENTED AND TYPED BY EMMA J. BRENDLINGER, SEC-TRES