

A public hearing and the regular monthly meeting of the Fox Township Board of Supervisors was held May 3, 2017 at 6:00 PM. Those present: Mike Keller, Dave Mattiuz and Randy Gradizzi, supervisors, Kathy Dowie, secretary-treasurer, Amy Cherry and Katie Weidenboener, newspaper reporters, Cheryl Ruffner, Don Ruffner, Rick Krishart, Jim Nissel, Mike Kamandulis, Mark Kozar, Dani Kazienko, Tyrel Woelfel, Cody Woelfel, Judy Woelfel, Rob Woelfel, Dave Hollobaugh Connie Dallasen and Brian Dornish.

The meeting began with a public hearing to take testimony regarding the transfer of a restaurant liquor license into Fox Township from Jones Township. This license will be used at the GetGo at 1109 Million Dollar Highway. The first to speak was attorney Mark Kozar, representing the Giant Eagle Corp. Attny. Kozar stated that Act 13 of the Liquor Code allows for the sale of liquor at convenience stores like GetGo. It requires a minimum seating of 30 and food for 30 people on the site. That facility was built with seating for 38, meeting the minimum requirement. The store will sell alcoholic beverages Monday thru Saturday 7 am to 12 midnight and Sunday 9 am until 12 midnight. Employees will be RAMP certified, with a 100% carding policy. There is a 2 beer limit for on-site consumption with food. There will be no on-site entertainment or smoking. There are security cameras throughout the facility.

Dave Hollobaugh resides across the highway from GetGo. He stated that cars now sit in the parking lot with their lights on facing his home and loud music playing. He is concerned that people will now sit in their cars and drink making things even worse. He feels that granting them a liquor license is no needed. Attny. Kozar responded that drinking in the parking lot is prohibited.

No other testimony was presented.

Chairman Keller continued into the regular monthly meeting agenda, beginning with the reading of sealed bids for dust oil and 1B limestone. Results are as follows:

DUST OIL	
Russell Standard	\$2.65 / gal
Jefferson Paving	\$2.45 / gal
Midland Asphalt	\$2.30 / gal

A motion was made by Randy Gradizzi, seconded by Dave Mattiuz to award the bid to Midland Asphalt, the lowest bidder. Motion carried.

1B LIMESTONE	
Bucktail Excavators	\$22.12 / ton
JM Delullo Stone Sales	\$24.25 / ton
Glenn O Hawbaker	\$28.91 / ton
New Enterprise	\$27.40 / ton

A motion was made by Randy Gradizzi, seconded by Dave Mattiuz to award the bid to Bucktail Excavators, the lowest bidder. Motion carried.

Chairman Keller continued by acknowledging the visitors.

Connie Dallasen asked if the Board would consider oiling Boone Mountain road first because of her son's asthma problem. She feels that the dust affects his asthma, making it hard for him to even go outside of his house. Randy Gradizzi responded that one of the first loads of oil will be for that area.

A motion was made by Dave Mattiuz, seconded by Randy Gradizzi to approve the minutes from the meeting of April 5, 2017. Motion carried.

CORRESPONDENCE

Landfill inspection report dated 4/3 was received and is available for review.

Fox Township Farmers Market requested to use the Community Park on Thursdays, June through October. A motion was made by Dave Mattiuz, seconded by Randy Gradizzi to approve this request. Motion carried.

UNFINISHED BUSINESS

After hearing testimony, the Board considered the request to adopt a resolution approving an inter-municipal transfer of a Pennsylvania "restaurant" liquor license from outside Fox Township to be used by Giant Eagle at their convenience store located at 1109 Million Dollar Highway (GetGo). This license was purchased at auction from PLCB, it had once been issued in Jones Township. A motion was made by Mike Keller, seconded by Randy Gradizzi to adopt Resolution 2017-05, approving the transfer of a restaurant liquor license No. R-9128 into Fox Township to be used at the GetGo. Motion carried. Dave Mattiuz asked that the Giant Eagle representatives look into Mr. Hollobaugh's concerns and address them.

NEW BUSINESS

A motion was made by Dave Mattiuz, seconded by Randy Gradizzi to approve the fireworks permit for Karl Hupfer, August 8th at the Elk County Fair. Motion carried.

The Rec Board is requesting to re-bid the resurfacing of the rubber surface at the playground. A motion was made by Dave Mattiuz, seconded by Randy Gradizzi to advertise for bids for the re-surfacing at the playground. Motion carried.

The following applications have been submitted for use of facilities:

- Amy Dorsey, May 20th, Main St Park, Birthday party
- Alicia Herbstritt, June 3rd, Community Park, Girl Scout picnic
- Kristin Meyer, June 11th, Main St Park, birthday party
- Marguerite Hidinger, August 5th, Main St Park, family reunion
- Helen Carr, August 19th, Main St Park, birthday party

A motion was made by Dave Mattiuz, seconded by Randy Gradizzi to approve these requests. Motion carried.

The following bills were submitted for approval for payment:

- From the General Fund, check #26640 thru check #26684 in the amount of \$37,653.01
- From the Landfill Fund, check #1798 and check #1799 in the amount of \$19,279.75
- From the Toby Water account, check #978 thru check #985 in the amount of \$14,162.57
- From the Fire Protection Fund, check #1582 and #1583 in the amount of \$214.54
- For a TOTAL of \$ 71,129.03

A motion was made by Dave Mattiuz, seconded by Mike Keller to approve the bills as presented. Motion carried with Keller and Mattiuz in favor. Randy Gradizzi was in favor of the motion but abstained from check #26680 and #984 to St. Marys Water, as he sits on the Board and check # 26683 to Walmart, his wife works there.

OTHER BUSINESS

Randy also discussed the proposed placement of the batting cage at the Community Park. The person interested in doing so now feels that it would be damaged in high wind situations. Don Ruffner stated that no one has approached the Rec Board on this, so they had no plans to do it anyway. The matter was tabled.

Mike Keller asked if the road crew could repair the field behind the Township building that was rutted up. He felt that it needed repaired, re-graded, raked and the re-seeded. Randy felt that he could do it, but would need to rent a bulldozer and a rake. The lot at the industrial park also needs graded so he could do both at the same time. Rental is for a week anyway, and he could get both done within a week. Randy felt that the cost could come out of the road budget. Dave Mattiuz felt that given the circumstances (of the landfill), no additional money should be spent on that field at this time, especially if it was not budgeted. A motion was made by Mike Keller, seconded by Randy Gradizzi, to rent a rake and a bulldozer and have the road crew repair the field. Randy stated that there was approximately \$1,000 left that was budgeted for the Industrial Park lot that he could use for this project. Dave felt that that money should not have been spent anyway, as it came out of the landfill monies, which are now down. Mike Keller felt the field needs done so it could be used in the fall. With no more discussion, the vote showed Keller and Gradizzi in favor; Mattiuz opposed. Motion carried.

A motion was made by Randy Gradizzi, seconded by Dave Mattiuz to allow the Fox Twp. Fire Police to assist with closing Main Street for Memorial Day services. Motion carried.

Randy Gradizzi met with Keller Engineers to review the permitting required for the Dirt and Gravel Roads grant project on Brynedale Road. They will need to survey the road and research the right-of-way.

With no further business to discuss, a motion was made by Randy Gradizzi, seconded by Dave Mattiuz, to adjourn this meeting at 6:44 PM. Motion carried.

The next meeting will be held June 7, 2017 at 6 PM at the Municipal building.