

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
PUBLIC MEETING ON COMCAST CABLE
AND REGULAR MEETING
April 19, 2007**

CALL TO ORDER

The meeting was called to order at 6:30 p.m.

ROLL CALL

Present were Supervisors Larry Lambert, Donald Lerew, Naomi Decker, John Shambaugh, and Gary Brown. Also present were Solicitor Stacey MacNeal and Secretary Nancy Zentmeyer. Visitors are on the attached sign-in sheets.

PUBLIC MEETING ON COMCAST CABLE

Chairman Lambert stated that this meeting is to receive input from the Township residents regarding the Comcast Cable Company. It was noted that the Supervisors along with Solicitor MacNeal will be meeting with a representative from Comcast on May 1, 2007 to discuss the negotiations of the franchise fee.

Joseph Favinger, 57 May Drive stated that change is change and stated that he is happy with the service he receives from Comcast. He noted that with Adelphia he had problems with his high speed internet and spent two and half hours on the phone with them. Comcast has also made other services available. Mr. Favinger indicated that the only negative point is the location of the office in Gettysburg and would like to see one closer to Dillsburg. The rate for basic and expanded, digital and internet is costing him between \$125.00 and \$130.00 per month but was paying more as a satellite user. Chairman Lambert noted that he has a dish and is receiving approximately 126 channels.

Mr. & Mrs. Don Bradenbaugh, 30 Meadow View Drive indicated that since 2003 the cable has increased over \$5.00 per month which indicates 13 increases since 1996. He indicated that he has basic and expanded coverage and his last bill was \$53.00. It was also noted that he had to get both the basic and expanded and that someone cannot sign up for just the basic. With HD coming in the next couple of years residents will have to get converters. Mrs. Bradenbaugh asked what is negotiable and can there be a set fee. Solicitor MacNeal indicated that the franchise fee is for the use of the Township's right-of-ways and the Township cannot negotiate what the residents pay. Chairman Lambert stated that this information will be relayed to Comcast on what is heard here tonight.

It was noted that Mr. Todd Eachus from Comcast has been in contact with the Township office regarding the channels that were dropped and that residents can receive a box from Comcast to again get those channels and free of charge for the first year. It was asked with the Supervisors do regarding when HD become mandatory? A list of the stations that are available to the residents were presented to the Board of Supervisors. It was stated that the box is free of charge but the service is a cost of \$14.00 and there is an installation cost of \$21.95.

Mr. Brian Fahey, 490 Capitol Hill Road asked if all the residents could receive cable service.

It was asked if there is a chance of competition such as from Verizon. Solicitor MacNeal stated that Verizon is only getting started in the cable business and they are only in two counties at this time. If Verizon would want to go into the Township they would have to come to the Township first. Supervisor Brown questioned if the Township has a franchise fee with Comcast how would it affect the Township if another cable company come in. Solicitor MacNeal indicated that the contract is a non-exclusive franchise. Supervisor Decker questioned if they could undercut the cost and Solicitor MacNeal indicated that is with the FCC with regulations on pricing and anyone else that comes into the Township must charge the same franchise fee.

Another concern was on the Weather Channel if the information could come from Harrisburg instead of Hanover.

Maureen Wilson, 101 Bethel Church Road stated that not all Comcast services will be available until the end of the year.

It was questioned why are the residents receiving channels such as ABC Harrisburg and ABC Baltimore?

Mrs. Brandenbaugh noted that different areas have different packages.

Chairman Lambert thanked everyone for their input and closed the public meeting at 6:56 p.m.

REGULAR MEETING

Chairman Lambert opened the Regular Meeting at 7:01 p.m.

PLEDGE OF ALLEGIANCE AND PRAYER

Chairman Lambert led the Pledge of Allegiance and Supervisor Brown gave the opening prayer

PRESENTATION FROM JERRY ELLIS, STATE ARCHIVIST

Mr. Jerry Ellis from the Pennsylvania Historical and Museum Commission gave a presentation on preserving the 19th century school board and township records that were recently found at the Township building. Mr. Ellis noted the importance of preservation of historical and valuable records. These types of records need to be done 2 ways: 1) in a controlled temperature free from humidity, light and dust and 2) to be microfilmed which lasts 300-400 years. If agreed, the State would take the records to be microfilmed and then returned to the Township. Mr. Ellis stated that the State did microfilm records from the Township approximately 25 years ago. The cost for microfilming would be \$20.00 and to also digitize at a cost of 10¢ per page. Copies made from the microfilm is possible but only with a reader. The local historical society is the ideal place to store these documents. Chairman Lambert asked if these records have any value. They are of historical value because there are so few and there is a need for all the records they can get. Vice Chairman Lerew asked how long would it take to have these records microfilmed and it was noted it would take only a few weeks. Mr. Ellis presented a copy of the agreement for the Solicitor's review and that will need to be signed when the records are taken. Supervisor Decker noted that the Township should put these documents on the website so the public would be able to view them. The cost to the Township would only be 10¢ a page. The files would be in black and white and Mr. Fahey noted that a couple of the files will be copied in order to be displayed at the Township office.

Motion: Chairman Lambert made a motion to proceed immediately with the records being turned over for microfilming and digital copies made at a cost of \$20.00. The microfilming only is a cost of \$20.00. Chairman

Lambert revised his motion to have the cost at \$20.00 and to table the digitize. The motion was revised again with a maximum cost of \$50.00 and to have the color copies for display. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

APPROVAL OF MINUTES

Board of Supervisors Regular Meeting, March 15, 2007

Motion: Supervisor Brown made a motion to approve the minutes of March 15, 2007 as submitted. **Seconded** by Chairman Lambert. The motion carried unanimously.

ORGANIZATION REPORTS

Police – Chairman Lambert gave the Police Report as follows: year to date the Township is 6 calls below last year. NYRPD were busy last month with more than 1,700 traffic investigations were conducted. In March a total of 238 criminal defendants were arrested. Training for the month totaled 632 hours. It was noted that Cpl. Burchfield was honored as one of Governor Rendell’s Twenty Honoree and will most likely become the new Chief of Police when Chief Segatti retires within the next year and half. The report is on file at the Township office.

Fire – Chief Blouch presented Franklinton Fire Company report as follows: a total of 41 calls overall with 14 being in Franklin Township. A total of 7 hours and 12 minutes was spent in the Township in regards to those calls. Chief Blouch announced the upcoming events at the fire company. Supervisor Decker thanked the fire company, Brian Fahey and Ken Swomley for their help at the fatal accident on Capitol Hill Road.

EMS – Traci Cook presented the EMS report as follows: there were a total of 103 calls with 16 being in Franklin Township. The 2006 year end report is also submitted. The total number of calls in 2006 was 1,325 which is up from the previous year with 246 of those calls in Franklin Township. With all the municipalities that are covered Franklin Township is 2nd busiest. The breakdown of accidents on Route 15 will be submitted next week. On May 3rd at 8:30 a.m. a mock DUI for 11th and 12th grades will be held. This drill has been opened up to the public to observe. It was felt that this is something good for the students to see before their prom is held and they feel this will get them to wear their seatbelts. May 22nd through the 26th is EMS week. Ambulance memberships are out and there is an increase of \$5.00. Chairman Lambert stated that approximately six months ago there was discussion on CPR training and it was asked if they are able to set any dates. It was so noted that can training can be set-up.

DAA - No report was submitted.

Emergency Management – No report was submitted.

Route 15 Study – No report was submitted.

Ad-Hoc Committee – Supervisor Brown noted that the Ad-Hoc Committee met on April 10th. The amendment process was defined to use and to set up and move forward. The revising and assigning of tentative tasks was done. Also looked over was the SALDO which was prepared by KPI. Also the Northern York County Regional Comprehensive Plan is looked at pertaining to zoning conflicts. It was noted that with the Comprehensive Plan it is mostly the zoning map that needs changed. The target date is the third week in July as the first public hearing for the planning organizations to review the changes to the zoning map. With the intergovernmental

comp plan map changes there will be 3 planning meetings to discuss how each municipality is keeping on track. Supervisor Decker asked what is involved with the intergovernmental agreement and Supervisor Brown indicated that it pertains to what was discussed at Franklinton Fire Co. Hall meeting. That the Township use the agreement and this will be discussed more at the Ad-Hoc meeting. The map in the Comprehensive Plan was done by CRC and that KPI reproduce the map with Carroll Township paying for their part and Franklin Township paying for theirs. It was indicated that the cost would not be that high. KPI gave a proposed quote on the SALDO with an estimate for preparing revisions to be in the range of \$10,000.00 - \$12,000.00. This would not include fees associated with the Township Solicitor. KPI estimated an additional cost for reviewing the additional ordinances to be in the range of \$5,000.00.

Motion: Supervisor Brown made a motion to authorize KPI to prepare revisions to the SALDO at a cost of \$10,000.00 - \$12,000.00. **Seconded** by Supervisor Shambaugh. The motion carried unanimously.

SUBDIVISION AND LAND DEVELOPMENT

1. Time Extension Policy

There was discussion on the policy for notifying applicants or their agents when a time extension on a plan is needed. Supervisor Decker stated that it should not be up to the Township. It was noted that a policy be made of no more reminders on time extensions. The Township Secretary will send a letter to current engineering firms stating this policy which will take effect immediately. Supervisor Shambaugh noted that they should also state why the extension is needed.

2. – 4. Time Extensions – Apple Blossom Estates, Sherwood Heights, and Derby Farms.

Motion: Chairman Lambert made a motion to accept the time extensions for Apple Blossom Estates until May 31, 2007 since the sewage module approval from DEP has now been received; Sherwood Heights until August 24, 2007; and Derby Farms until July 31, 2007 because certain aspects will not be completed in the time available. **Seconded** by Vice Chairman Lerew. Supervisor Decker stated that these time extensions should be done one at a time. Supervisor Decker indicated she did not understand the comments from Solicitor MacNeal regarding Apple Blossom Estates. It was noted that correspondence was received from Solicitor MacNeal regarding Apple Blossom Estates and the documents that have been reviewed. Solicitor MacNeal indicated that that she has not yet had any formal review of this proposed subdivision plan and the comments on these documents are made in vacuum and without any special concerns of the Board of Supervisors. In regards to DAA Apple Blossom has no nutrient agreement but they have capacity. In regards to the Derby Farms plan it just keeps going along but there was concern on the points of access. It was noted that one access is onto Glenwood Drive and another through Lexington Fields which would access onto Route 194. Engineer Knoebel indicated that there are a lot of comments on this plan. This is a joint venture with Kings Kids Camp. It was noted that this plan has not been to DAA for their review. It was questioned whether or not the layout of Derby Farms will work. The motion carried with Supervisor Decker accepting the time extension for Apple Blossom Estates and opposing the time extensions for Sherwood Heights and Derby Farms.

REPORTS

Engineer

1. Site Grading Plans – Building Permits

Engineer Knoebel submitted an outline of proposed plan requirements to be used as part of the Township's building and zoning permit process. Submitted was an outline of general site plan requirements along with a check list. A review of the existing Township Building Permit Ordinance it appears that the existing ordinance

allows for supporting information to be provided as part of the building permit process. Supervisor Decker noted that this looks good and it is what was asked for. It was noted that this be tabled until the April meeting.

Solicitor

1. Resolution for Non-Uniformed Employee Pension Plan

Solicitor MacNeal noted that even though the plan was discussed and a decision was made at last month's meeting the Township did not do a formal resolution, which is needed to be done. The Resolution was prepared using the pension benefits consisting of 1%. Chairman Lambert proceeded to explain the pension plan that would cost the Township \$12,000.00 which was compared to the \$6,000.00 of what was given previously. It was noted that in 3 years the Township will receive State Aid.

Motion: Chairman Lambert made a motion to adopt Resolution #2-2007 to provide a Pension Plan and Benefits for all Non-Uniformed Employees of Franklin Township after 5 years of service or at the age of 65, which ever is later. **Seconded** by Vice Chairman Lerew. Supervisor Decker asked for discussion. It was noted that a representative of PSATS came to the Township but there is another alternative of doubling the amount which would also double the retirement payment. Supervisor Decker stated if the Township put in \$20,000.00 or \$22,000.00 it would double the employee's retirement but there would be a possibility of no raise next year and she would like the opportunity to discuss this more because not all of the information was given. Chairman Lambert stated that this is a sound plan and a start for the employees. The motion carried unanimously. Citizen Ron Stevens raised his hand for comment but was denied by Chairman Lambert until public comment.

Building Permit & Zoning Officer

1. Sliding Scale for Zoning

Mr. Fahey indicated that he has reviewed the fee schedule with Solicitor MacNeal. Mr. Fahey stated that he felt a flat zoning fee of \$75.00 was excessive for small projects such as constructing a deck or installing a fence. The \$75.00 fee would be in line for a principal use or structure.

2. Conditional Use Hearing

Mr. Fahey noted that with the May 3rd Conditional Use Hearing he has been in contact with Solicitor MacNeal in regards to the procedures. The property has been posted.

Supervisor Shambaugh discussed the zoning permit fees and noted that he disagrees with a sliding scale and that the fee should be the same for all construction. Mr. Fahey indicated that surrounding municipalities use the sliding scale. It was noted that this will be reviewed at another time.

3. Low or No Impact Study for Commercial Properties

Mr. Fahey noted that the existing SALDO has no provisions for minor or negligible alterations and additions to commercial buildings. This would need the Engineer's proposal.

Mr. Fahey brought up a property in the Township, Keystone Power & Pump that is located on South Mountain Road that has a commercial business. The property owners would like to have a metal pre-fabricated structure placed on their property on an existing barn foundation. Mr. Fahey indicated that he has discussed this with Solicitor MacNeal and Solicitor MacNeal indicated that usually the applicant submits a written request to go along with a plan. This structure would be fewer square feet than the existing foundation. Mr. Fahey is asking the Board of Supervisors if they would make a decision on this case. Chairman Lambert noted concern of the existing footprint and water run-off. It was noted that the bank barn was demolished in the 1980's from a heavy

snow. Supervisor Shambaugh stated that this would not be increasing impervious coverage or drainage on the property.

Motion: Supervisor Shambaugh made a motion to grant the waiver of submitting a land development plan for Keystone Power & Pump. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

Roadmaster

1. Stone/Paving Bids

Authorization is needed in order to prepare and advertise for the stone and paving bids.

Motion: Supervisor Shambaugh made a motion to authorize the Township Secretary to advertise for the stone and paving bids with the bid opening being at the next meeting, May 17, 2007. **Seconded** by Chairman Lambert. The motion carried unanimously.

Supervisor Shambaugh noted that the Roadmaster would like to do a road review. The date is set for Monday, April 30, 2007 at 10:00 a.m. Supervisor Shambaugh noted that a complaint had been received on Lost Hollow Road regarding the swales across the driveways at 278, 280 and 284. This is being taken care of. The road report is on file at the Township office.

Park & Recreation

Supervisor Decker stated that the Park & Recreation Board met on April 17th and thanked Supervisors Shambaugh and Brown for making themselves available for the meeting along with Dillsburg Area Soccer Club. Discussed was the layout of the master plan and field use needs of the area. A community park development was discussed. Supervisor Decker stated that the Township was not approved for the grant they submitted last year for Ponderosa Park. 208 projects were funded with another 209 that were denied. It is the consensus of the Park & Recreation Board to take time to consider alternatives in the master plan and to utilize what is best for the people of the Township and teams in the area. The reimbursement check from DCNR was received in the amount of \$10,900.00 and was put in the general fund to pay for the playground equipment. DCNR retains 10% until the final inspection has been done. The play areas at Ponderosa Park are ready to be installed as the preliminary site grading was done by the road crew. It was noted that no new application was submitted to DCNR which needed to be in by April 13th. Chairman Lambert stated that he had contacted DCNR and asked for an extension. Supervisor Decker asked if what the Park & Recreation Board suggests matters. Chairman Lambert noted why start over again. Supervisor Decker stated that the master plan is congested and was done in a speeded up time frame. The Park & Recreation Board would like to see an all purpose field, a parking area at the other end. Supervisor Shambaugh stated that he is opposed to changing anything and that the master plan was approved. Supervisor Decker stated that Trevor Zahniser from Melham Associates recommended that the playground equipment be placed where it was originally planned after talking with DCNR. There is a letter on file from Melham Associates. It was noted that there are things on the master plan that cannot work. The parking lot by South Mountain Road was discussed. It was the desire of the Park & Recreation Board to have the entire area at the lower end of the park as parking area. Supervisor Decker stated that the master plan that was voted on the Park & Recreation Board never saw it. It was noted that the discussion on the master plan be tabled and be discussed at a workshop meeting.

OLD BUSINESS

There was no old business to discuss at this time.

NEW BUSINESS

There was no new business to discuss at this time.

CORRESPONDENCE

1. NYCSF Summer Playground Program

Supervisor Brown announced the events sponsored by NYCSF. It was noted that James Caplinger has resigned about a year ago and has stopped payments for services along with an agreement to part ways as the foundation could not afford a Director. NYCSF is submitting an application for the County grant in the amount of \$5,000.00. Dillsburg Borough is putting this in for the Foundation. Supervisor Brown noted that a letter had been received from NYCSF regarding the Summer Playground Program which will be held from June 25th through August 3rd at a cost of \$80.00. Last year there were 14 children from the Township that participate in this program. The Foundation is asking if Franklin Township would consider participating this year. Each municipality would pay \$40.00 per child. This is a half day program.

Motion: Supervisor Brown made a motion for Franklin Township to participate in the Summer Playground Program and pay the \$40.00 per child. Chairman Lambert noted that the Township had decided the last few years not to participate. Supervisor Decker also noted that a lump sum could be put into the parks for all to use. The motion died due to the lack of a second to this motion.

PUBLIC COMMENT

Mr. Ron Stevens questioned the pension plan that was acted on tonight regarding the employees being vested and is it retroactive. He also indicated that there was no public meeting advertising this. In regards to the ball fields he asked if the Supervisors are considering polling the public to help build a field. Chairman Lambert noted that different clubs have helped with their volunteers.

TREASURER'S REPORT

Motion: Chairman Lambert made a motion to accept the Treasurer's Report as submitted. **Seconded** by Supervisor Shambaugh. The motion carried unanimously.

APPROVAL AND PAYMENT OF BILLS

Motion: Supervisor Shambaugh made a motion to approve and pay the bills. . Chairman Lambert asked if the bill for the curtain at the recycling center was the amount they approved. It was so noted. **Seconded** by Chairman Lambert. There were questions on the following bills: \$127.00 for signs, fire extinguishers, and trash liners. It was noted that the trash lines are bought in bulk. The \$127.00 bill was for mushroom shoes and turn sign. Supervisor Decker noted that under Recreation the bill for \$158.67 for Associates Products should be forwarded to the Soccer Club as they agreed to pay the first two months. The Treasurer will be notified to pay the bill and get reimbursement from the Soccer Club or have them pay the next two months. The motion carried unanimously.

ADJOURNMENT

Motion: Supervisor Shambaugh made a motion to adjourn the meeting at 8:48 p.m. **Seconded** by Chairman Lambert. The motion carried unanimously.

Respectfully submitted, Nancy E. Zentmeyer, Township Secretary

