

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
May 17, 2007**

CALL TO ORDER

The meeting was called to order at 7:00 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE AND PRAYER

Vice Chairman Lerew led the Pledge of Allegiance and Supervisor Decker gave the opening prayer.

BID OPENING – STONE & OIL

The bidders are as follows: York Building Products, O-N Minerals, Wilson Paving, and Pennsy Supply.

The bid for the CRS-2 oil at a quantity of 9,000 gallons total more or less is as follows:

<u>Bidder</u>	<u>Price per Gallon</u>	<u>Total Price</u>
Wilson Paving	\$1.62	\$14,580.00

The bids for stone (various sizes) at a quantity of 3,000 tons total more or less are as follows:

<u>Bidder</u>	<u>Stone</u>	<u>Price @ Plant</u>	<u>Price Delivered</u>
O-N Minerals	2A	N/A	\$8.65
	2 RC	N/A	\$8.55
	#4	N/A	\$10.75
	#3-A	N/A	\$8.65
	#3 Clean	N/A	\$10.75
	#57	N/A	\$10.75
	#8 Washed	N/A	\$11.00
	#9	No Bid	
	#10	N/A	\$10.55
	R-4 Rip Rap	N/A	\$12.55
	R-5 Rip Rap	N/A	\$15.60

Deliveries requiring more than ½ hour on site - \$65.00/hr. charge.

York Building Products	2A	\$4.75	\$9.40
	2 RC	\$4.75	\$9.40
	#4	\$6.75	\$11.40
	#3-A	\$5.25	\$9.90
	#3 Clean	\$6.75	\$11.40

#57	\$6.75	\$11.40
#8 Washed	\$8.50	\$13.15
#9	\$9.00	\$13.65
#10	\$6.75	\$11.40
R-4 Rip Rap	\$8.75	\$14.65
R-5 Rip Rap	\$10.50	\$17.15

Deliveries requiring more than ½ hour on site - \$67.00/hr. charge.

Pennsy Supply	2A	\$5.50	\$10.42
	2 RC	\$5.25	\$10.17
	#4	\$6.95	\$11.87
	#3-A	No Bid	
	#3 Clean	No Bid	
	#57	\$7.15	\$12.07
	#8 Washed	\$8.95	\$13.87
	#9	No Bid	
	#10	\$8.35	\$13.27
	R-4 Rip Rap	\$10.00	\$14.92
	R-5 Rip Rap	\$11.00	\$18.92

Deliveries requiring more than 25 minutes on site - \$60.00 hour charge.

Solicitor MacNeal was given the documents to review.

Motion: Supervisor Brown made a motion to award the CRS-2 Oil bid to Wilson Paving at the bid price of \$1.62/gallon, total cost \$14,580.00 and to check to make sure the E-2 oil is the same as the CRS-2 oil. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

Motion: Supervisor Brown made a motion to award the stone bid of all stones except #9 to O-N Minerals at the delivered price. **Seconded** by Supervisor Shambaugh. The motion carried unanimously.

Motion: Supervisor Brown made a motion to award the stone bid of #9 stone to York Building Products. **Seconded** by Supervisor Shambaugh. The motion carried unanimously.

APPROVAL OF MINUTES

Motion: Supervisor Shambaugh made a motion to approve the minutes of April 19, 2007 as submitted. **Seconded** by Supervisor Brown. The motion carried unanimously.

ORGANIZATION REPORTS

Police – No report was submitted.

Fire – Chief Blouch from Franklinton Fire Company was present to give his report. During the month of April there were 16 calls in Franklin Township with a total of 13 hours, 52 minutes spent in the Township. Chief Blouch announced the upcoming events to be held at the fire company. On June 16th and 17th the fire company will have a car show for the first time. Cost is \$10.00 to display a car and the public is free.

EMS - No report was submitted.

DAA - No report was submitted.

Emergency Management - No report was submitted. Supervisor Decker noted that the Supervisors had received paperwork on the dry hydrants and that there is one on County Line Road at Cashman's that was missed. Some look more like a stream than a body of water. It was suggested that Mr. Laurin Fleming be contacted and ask him to be at the next month's meeting to discuss the dry hydrants.

Route 15 Study – Supervisor Brown stated that Mr. Wayne Kober has set-up a meeting with the State at the District 8 office on Herr Street on June 12th beginning at 9:00 a.m.

Ad-Hoc Committee – Supervisor Brown gave a report on the committee meeting. The NYRCP was addressed and updates on any zoning changes that need to be made before the Comprehensive Plan is done. On the zoning map Supervisor Brown indicated the lines that were drawn to show primary growth and suggested the Township consider the growth area to Apple Blossom Estates plan but not to include Sherwood Heights. Lines of the primary growth areas that are questionable are where townhouse developments are proposed and also where there is sewer and water available. It was suggested that the townhouse development areas should be rezoned. Supervisor Shambaugh indicated that he does not agree with the expansion of the primary growth areas except to include Apple Blossom Estates. Supervisor Shambaugh also suggested that the Board should not accept time extensions on these townhouse developments. The Comprehensive Plan should be changed to match our zoning map as this would be easier than getting a zoning change.

The secondary growth areas are only in Dillsburg Borough and Franklinton Borough which shows growth at a later date. Supervisor Brown indicated that the future growth area is where the townhouses are proposed and this was a suggestion from Randy Beck of YCPC because of water and sewer being near by. Supervisor Decker noted that also discussed were the roads with the poor access onto Glenwood Road and the congestion on Route 194.

The next issue discussed was the definition of rural conservation. Supervisor Brown gave a handout from NYCRCP excerpts defining as follows: "Maintaining open space is done to protect environmentally sensitive areas and preserve green contiguous open spaces that have significant value for human and natural life. Specifically, forested areas, steep slopes, stream and creek valleys, lakes, and floodplains are included. Permitted uses within these zones encourage the most appropriate conservation/recreation activities." The only change will be the adding of "or open space" and deleting the 2-acres. Supervisor Decker noted the statement being made that this Township will do whatever it takes to please Carroll Township. Supervisor Decker questioned why we're trying to please Carroll Township instead of serving Franklin Township. Supervisor Decker questioned how these spaces in rural conservation will be satisfied as we already have wetlands and steel slope overlay protection. What else is this saying that will hit the Township? Supervisor Decker asked what does the quote "encourage the most appropriate conservation/recreation activities" indicate and Supervisor Brown stated that the State game lands would be covered and that this was a statement out of the Township's zoning ordinance. Another statement read by Supervisor Brown was "the open space development methodology (conservation subdivisions) is a design technique that promotes the protection of environmental features and open space by integrating greenways and wide expanses of undeveloped lands with concentrated areas of the development". Which is the same information Bob Eichelberger presented regarding conservation subdivision as a possible option and may want to add this later on. This concept would require a site inspection by the Planning Commission and/or the Board of Supervisors before submission of a sketch plan.

Mixed Use development in the zoning ordinance does not allow for any more residential homes. The only differences in the verbiage are pertaining to Open Space and Rural Conservation. On May 23rd there will be a meeting with other municipalities beginning at 10:00 a.m. and also on June 26th. It was noted that the Boroughs were not at the last meeting. Also on July 16th there will be a coordination meeting. Also noted was the 45-day review period and on September 17th a joint public meeting with the governing bodies.

There will be a discussion on a cooperation implantation agreement as there is an interest in doing this. One of the provisions is to share tax revenues and fees. Another issue is the adoption of transfer of development rights. Work has been done on the SALDO changes and this needs to be reviewed. June 12th at 7:00 p.m. is the next Ad-Hoc Committee meeting and Supervisor Brown has noted that YCPC has been attending these meetings.

SUBDIVISION AND LAND DEVELOPMENT

1. Edward & Helen Balsavage, Final Minor Subdivision Plan

The proposal is to subdivide a 1.046 acre lot from an existing 10.016 acre tract along Capitol Hill Road for addition to the adjoining 10.001 acre lot. Both parcels are under the same ownership.

The following waivers have been requested:

1. 402.A – allow the plan scale to be 1" = 60'.
2. 402.A.16 – clear sight triangle requirements.

It was noted that the Planning Commission has recommended approval of both waiver requests.

Motion: Supervisor Shambaugh made a motion to grant the waiver request from Section 402.A.
Seconded by Vice Chairman Lerew. The motion carried unanimously.

Motion: Supervisor Shambaugh made a motion to grant the waiver request from Section 402.A.16.
Seconded by Vice Chairman Lerew. Supervisor Brown asked if it was impossible to meet the clear site on the existing driveway and it was so noted. The motion carried unanimously. Supervisor Decker stated that if it is possible the brush should be cleared out. Engineer Begis indicated that Mr. Balsavage is proposing no building, it is only to move a lot line.

Motion: Supervisor Shambaugh made a motion to approve the Edward & Helen Balsavage Final Minor Subdivision Plan to include comments #1, 2, 4, and 5 from the Engineer's comment letter dated May 3, 2007.
Seconded by Vice Chairman Lerew. The motion carried unanimously.

2. Time Extensions

a. Apple Blossom Estates, June 30, 2007

Motion: Supervisor Shambaugh made a motion to accept the time extension for Apple Blossom Estates until June 30, 2007. **Seconded** by Supervisor Brown. The motion carried unanimously.

b. – d. Lexington Fields, December 31, 2007; Sturbrige Place, December 31, 2007; Williams Townhouse Estates, December 31, 2007

It was noted that Lexington Fields needs outside agencies approvals and the stormwater management option. It was noted that they have until June to give the Township an up to date comment letter.

Motion: Supervisor Shambaugh made a motion to table Lexington Fields, Sturbridge Place and Williams Townhouse Estates time extensions until next month. **Seconded** by Vice Chairman Lerew. The motion carried unanimously. Supervisor Brown suggested that the developer have the issues addressed.

e. William Eichelberger, September 30, 2007

Motion: Supervisor Shambaugh made a motion to accept the time extension for William Eichelberger until September 30, 2007. **Seconded** by Supervisor Brown. The motion carried unanimously.

3. William & Dawn Baer, Incomplete Plan

This is a new subdivision plan submitted for the Planning Commission but after review it was deemed incomplete as there was no notarized owner's acknowledgement or Form B form for the sewage planning module. The plan has since been notarized and the form submitted so therefore it can move forward to the Planning Commission. No action is required.

4. Albert & Janet Glenn, Incomplete Plan

This is a new subdivision plan submitted for the Planning Commission but after review it was deemed incomplete as there was no notarized owner's acknowledgement. The plan has since been notarized and can move forward to the Planning Commission. No action is required.

REPORTS

Engineer

1. Site Grading Plan – Building Permits

Engineer Begis noted that this was tabled at last month's meeting. KPI has established general site plan requirements policy to be adopted. This policy would be submitted with a building permit application and then go to KPI for review and the permit would not be issued until there is KPI approval of the grading plan. Supervisor Decker stated, for the record, that last month she felt that this was what the Township needed, but after looking at this it could be very costly as there are a lot of requirements. The cost could be \$1,000.00 or more, at the applicant's expense even for minor projects. Engineer Begis stated this would be used for residential construction. Supervisor Decker suggested that this is overkill, this is too much and the Township needs to take more time before making a policy. Engineer Begis stated this policy is to control that water does not drain onto other properties, as what has happened previously. It was noted that this policy should be fine tuned. Supervisor Brown stated that it is needed in an entire development. Solicitor MacNeal noted concern and that it should be clear when enforcing properly from property to property and noted that this is an issue with other municipalities. Other options are perhaps a simple floor elevation or require grading permits over a certain size or do a grading plan based on the percent of slope. Vice Chairman Lerew suggested that the Township take another month. Supervisor Brown stated concern regarding setting it up as a policy and have it in our ordinance. A site plan does not entail everything. Engineer Begis noted that this would be part of the building permit process with an approximate 2 hour review time. Vice Chairman Lerew stated that no action should be taken tonight but special attention to the slopes should be considered.

Motion: Supervisor Shambaugh made a motion to table the site grading plan policy. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

Solicitor

Solicitor MacNeal stated that last month the zoning permit fees was on the books with the following amounts: \$75.00 for principal use, \$30.00 for accessory structures, and \$10.00 for minimal or no impact structures. It

was noted the cost difference should be based on the value of construction. Supervisor Shambaugh noted that he is still in favor of one set fee. It was suggested to lower the fee to \$50.00 as this is an administrative fee.

Motion: Supervisor Shambaugh made a motion to set the zoning permit fee at \$50.00. **Seconded** by Vice Chairman Lerew. The motion carried with Supervisor Decker opposing because she feels for something small you should not have to pay a fee.

Solicitor MacNeal also stated that she would like a short Executive Session to discuss personnel pension issue.

Supervisor Shambaugh suggested that the Supervisors be provided the document of fees at the next meeting.

Building Permit & Zoning Officer

Mr. Fahey noted that the Zoning Hearing Board held a meeting last night and appointed John Flanagan as Chairman, Kenneth DeShong as Vice Chairman, Nancy Zentmeyer as Recording Secretary, Roxy Cressler as the court stenographer, IRC as the alternate court stenographer, and Attorney Keith Brenneman as the Solicitor. It was suggested that the Board of Supervisors appoint an alternate to the Zoning Hearing Board and Mr. Fahey presented the name of Katherine Spalding of 1234 South Mountain Road to that position for a 3-year term.

Motion: Supervisor Shambaugh made a motion to appoint Katherine Spalding as the alternate to the Zoning Hearing Board to a 3-year term. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

It was questioned what the pay would be for the Zoning Hearing Board members and Solicitor MacNeal indicated that she would have to review to see if an ordinance is needed. Mr. Fahey also noted that the third Monday of the month, beginning at 7:00 p.m. would be their regular hearing date. All applications are submitted to the Zoning Hearing Board and will also be passed on to the Supervisors and Planning Commission. It was indicated that under Section 602.A.6 of the zoning ordinance the Zoning Hearing Board members cannot be paid anymore than what the Board of Supervisors are paid.

Mr. Fahey proposed that the Board protect our bridges from citizens by adding an Armco type, galvanized rail to the old concrete abutments and burying the flared-out ends into the ground. Supervisor Brown stated that the Township should have a cost on this type of repair and find out who owns the bridges. Solicitor MacNeal recommended to have the engineer tell you the design but if this is done the Township will have the liability. Mr. Fahey noted that there is a keystone plate on the bridge and suggests that this be turned over to NYCHAPS. Supervisor Shambaugh stated that the Roadmaster should take this plate off and bring it inside the Township building.

Another issue of safety is that the Township building does not have crash/panic bars on its south facing door. This is in violation of the UCC the Township administers. It was noted that the Township get a cost on the crash/panic bars.

The old school documents have been returned but there is one more disk to be returned to the Township and it was suggested that the Township send a letter of thanks to Mr. Jerry Ellis who worked very hard on this project. It was also suggested a ceremony of handing of the documents over to NYCHAPS.

Mr. Fahey is still working on the house numbering and is getting names to enter into the data base.

Mr. Fahey noted concern on the Al Glenn subdivision that was recently submitted to the Township. Because the property is a 2-flag, 1-pole lot it appears to be in violation of our existing SALDO. A possible relief might be for the applicant to seek access through his neighbor's property and onto a different street, but Mr. Glenn has not applied for a zoning determination, and he has not requested an exception or variation to base his subdivision request on.

Mr. Fahey also noted that there are old records pertaining to road maintenance reports and tax records that may want to be turned over to NYCHAPS also.

Roadmaster

Supervisor Shambaugh noted that the Roadmaster's report has been submitted. Supervisor Shambaugh reviewed the options on paving for this year's project which is Greenhouse Road. It was noted in the cost that there are monies carried over from last year which can be used for this year's project. Option 1 would be to start paving at South Mountain Road which is at a cost of \$80,000.00. Option 2 would be to start paving at the pump house which is at a cost of \$71,000.00. After discussion it was noted that the paving should start at South Mountain Road and Supervisor Shambaugh noted that the Township should go for the larger amount.

Motion: Supervisor Brown made a motion to go with Option 1 at a cost of \$80,000.00. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

Parks & Recreation

Supervisor Decker stated that the Park & Recreation Board met on May 9th and discussion was on what was discussed at the Workshop meeting of May 8th. The goals are being looked into and to develop a project for the fields. It was also discussed to get cooperation with money, volunteers, financial gifts, equipment and labor then the Board would be willing to help out with the funds instead of a grant for this particular part of the park. Supervisor Decker noted she did some checking on the sign for the park will not be that expensive and that the sign should be durable. Supervisor Decker noted she will check with DCNR as to where to get the sign and the wording of the sign. The playground equipment is being constructed and the time table for completion should be in July which would include the path being paved, the border, and the mulch. There is a senior path which is being placed in the wooded part of the park and will be accessible for wheelchairs. Supervisor Decker stated that she is checking with other municipalities on the multi use fields. Mr. Lowell Hartzell was at Ponderosa Park helping set the distances between the playground equipment for safety reasons. Supervisor Brown noted that there are children around the equipment and on the mulch at Ponderosa Park. Supervisor Decker indicated that the most important thing is to get the mulch down around the equipment. A sign has been made up and will be posted to help with any liability issues.

OLD BUSINESS

It was noted that clean-up day was a great success and that it worked good. The compactors were not there and the Township will not be charged for them.

Mr. William Messner from Clear Spring Road asked about where residents can get rid of light bulbs that have mercury in them. They are the newer energy saving light bulbs. Solicitor MacNeal indicated that the Federal and State agencies are working on this. Supervisor Decker also noted that there is an issue with the lighting at the parks, as Met-Ed will not be renting the lights for municipalities and this type of light may have to be used.

Supervisor Shambaugh asked if Solicitor MacNeal could write a letter to PennDOT regarding the bridge on Capitol Hill Road. Supervisor Shambaugh indicated that by the end of June he would like to see the removal of the safety barriers. A map has been received from PennDOT showing Capitol Hill Road which will be given to Solicitor MacNeal for her review to try and determine who owns the bridge. Vice Chairman Lerew suggested contacting our elected officials to see if they could also help in getting this information since the Township has not heard back from PennDOT. It was noted that liquid fuels may also be used for this along with possibly contacting the insurance company of the vehicle that struck the bridge.

Mr. Fahey asked if he could use the bulk mailing when sending out the notices to residents that do not have the house numbers displayed. Since this was one of the articles in the newsletter, Supervisor Shambaugh suggested this be brought up next month so the residents have time to purchase house numbers.

NEW BUSINESS

Printer

At this time Supervisor Decker requested the issues under Treasurer's Report be moved to New Business. The first issue is that Treasurer Emlet needs a new printer and would like to purchase one at the cost of \$79.00.

Motion: Supervisor Shambaugh made a motion to approve the purchase of a printer for the cost of \$79.00 for the Treasurer's office. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

Credit Card

The second issue is a credit card for the Township. The Township has cancelled the Platinum Plus card. The Township can get a credit card from M&T Bank that would act like a "debit card" in that the funds would be drawn directly from the bank account. However, no charges would be made until the end of each month. Supervisor Shambaugh indicated that he would like to see the Township get another credit card and to establish a billing schedule. The card should also be in the name of Franklin Township and kept in the Township office.

Motion: Supervisor Brown made a motion to get another "credit card" and that the only employees that could use the card would be the Township Treasurer, Township Secretary, and the Roadmaster. **Seconded** by Supervisor Shambaugh. The motion carried unanimously.

QuickBooks Update

There was discussion on the cost of the QuickBooks Pro 2007 with payroll and technical support the cost is \$548.43.

Motion: Supervisor Decker made a motion to approve the purchase of the QuickBooks Pro 2007. Supervisor Shambaugh noted that he would second the motion but this price seems to be high. After discussion the following motion was made.

Motion: Supervisor Shambaugh made a motion for the Treasurer to purchase QuickBooks Pro 2007 but to go to BJ's or an office supply store but not at the proposed cost of \$548.43. **Seconded** by Supervisor Decker. The motion carried unanimously.

Engle Copier Bill

The Township has received a bill from Engle in the amount of \$508.23 for additional copies made on the old Toshiba copier.

Motion: Supervisor Shambaugh made a motion to approval the payment of the Engle bill in the amount of \$508.23. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

CORRESPONDENCE

Supervisor Decker brought up some correspondence to discuss.

Burning Letter

It was noted that a resident received a letter about possible burning on their property and felt offended by this letter. It was noted by the Secretary that the letter stated “you may be doing burning” and not that “you are doing burning”. Supervisor Shambaugh suggested that the Township receive a complaint in writing before sending out a letter.

Twin Hill Mowing

A resident, Ms. Diana Wells, sent an e-mail to the Township about the mowing of the retention area and the wildlife that lives there. She indicates she would like to stop the destruction of plant and animal life.

Sherwood Forest

Correspondence had been received from Mr. & Mrs. Cobb of 408 Little John Drive regarding a trench that was dug and a drain pipe laid from their neighbor’s house. The trench was also dug on Mr. & Mrs. Cobb’s lawn’s edge. They were informed that the Township would repair the edge of the lawn and the shoulder that was dug up. This repair has not been completed. It was noted that this is being taken care of as the Roadmaster was given a copy of this letter.

PUBLIC COMMENT

Mrs. Miller, a property owner, asked Supervisor Decker just what is happening with Ponderosa Park since the grant was denied. She indicated that the Township should move forward to develop the park and to set some criteria and get some specifications and go out on bid. Supervisor Decker indicated that the Township will get help from volunteers and hope to get monetary gifts. Mrs. Miller asked if the Township is required to use the master plan that was submitted with the grant. It was noted that the plan can be used as a guide. Mrs. Miller also stated that grant money is not a gift and the residents do pay for this. Supervisor Decker noted that the Board has given cooperation on the Ponderosa Park project and they do deserve credit.

TREASURER’S REPORT

Motion: Supervisor Shambaugh made a motion to approve the Treasurer’s Report as submitted. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

APPROVAL AND PAYMENT OF BILLS

Motion: Supervisor Shambaugh made a motion to approve the bills as submitted. **Seconded** by Vice Chairman Lerew. The motion carried unanimously. It was suggested that the Treasurer’s bond be raised higher. The Treasurer is to look into this.

EXECUTIVE SESSION

The Supervisors and Solicitor went into an Executive Session to discuss the pension plan.

ADJOURNMENT

Motion: Supervisor Shambaugh made a motion to adjourn the meeting at 10:00 p.m. **Seconded** by Vice Chairman Lerew. The motion carried unanimously.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary