

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
February 11, 2008**

CALL TO ORDER

Present were Supervisors Donald Lerew, John Shambaugh, Naomi Decker, Edward Campbell and Gary Brown. Also present were Solicitor Stacey MacNeal, Engineer Timothy Knoebel, and Secretary Nancy Zentmeyer. Visitors are on the attached sign-in sheet. The meeting was called to order at 7:32 p.m. at the Franklin Township Municipal Building, 150 Century Lane, Dillsburg, York County, PA.

PLEDGE OF ALLEGIANCE AND PRAYER

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

APPROVAL OF MINUTES

1. Board of Supervisors Regular Meeting, December 20, 2007

Motion: Vice Chairman Shambaugh approved the minutes of the Board of Supervisors December 20, 2007 regular meeting as submitted. **Seconded** by Supervisor Campbell. The motion carried unanimously.

2. Board of Supervisors Re-organization Meeting, January 7 & 8, 2008

Motion: Vice Chairman Shambaugh approved the minutes of the Board of Supervisors January 7 & 8, 2008 Re-organization meeting as submitted. **Seconded** by Supervisor Campbell. The motion carried unanimously.

3. Board of Supervisors Regular Meeting, January 14, 2008

Motion: Vice Chairman Shambaugh approved the minutes of the Board of Supervisors January 14, 2008 regular meeting with corrections. **Seconded** by Chairman Lerew. The motion carried unanimously.

APPROVAL AND PAYMENT OF BILLS

Motion: Vice Chairman Shambaugh made a motion to pay the bills as submitted. **Seconded** by Supervisor Brown. Supervisor Decker asked Engineer Knoebel if on the KPI bills to see a breakdown of the general engineering, last month it was \$1800.00 or \$1900.00 and this month it was \$1200 under general engineering. The motion carried unanimously.

Vice Chairman Shambaugh noted that correspondence had been received from Adams County Bank. It was noted that this is informational only.

TREASURER'S REPORT

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

Chairman Lerew questioned the check from Comcast and it was noted that it was deposited into the General Fund.

1. Escrow Accounts Status

Engineer Knoebel noted that a report was submitted on November 14, 2007 on these accounts. The escrows that are noted complete can be returned but the active should be held on. There was discussion on the Morison and Carpenter plans and it was noted that the bonding could be for storm water issues. It was noted that these will be looked into. It was noted that regarding Jerry Morison escrow it could be because of a bigger detention basin. Supervisor Decker asked that the Olivia Carpenter plan be checked once more before release of the escrow account because of individual stormwater control.

Motion: Vice Chairman Shambaugh made a motion to release the escrow monies for Kenneth Garner and GTE. **Seconded** by Chairman Lerew. The motion carried with Supervisor Decker abstaining due to professional involvement with Mr. Garner. Supervisor Decker questioned where is GTE and Engineer Knoebel stated that he would get that information. Chairman Lerew asked if there was any problem with returning these monies and Supervisor Decker said no.

2. Credit Card, Members 1st Federal Credit Union

Vice Chairman Shambaugh had checked on obtaining a credit card from Members 1st and noted that the Township needs to open a checking account for \$5.00 in order to get a business card. The billing date is the 20th of the month and they can adjust the dates with a business card so there would be no late fees. There was discussion on the number of cards the Township should get and it was noted only one card is needed. Vice Chairman Shambaugh said they required no personal information. It was recommended that there would only be one card which would be the Secretary's responsibility.

Motion: Vice Chairman Shambaugh made a motion to authorize the Township Secretary and Township Treasurer to open a Visa credit card account at Members First. **Seconded** by Supervisor Decker. The motion carried unanimously.

3. Renewal of Notary for Phyllis Emlet, Treasurer

Motion: Chairman Lerew made a motion to renew the notary for Treasurer Phyllis Emlet. It was noted that the cost for renewal would be several hundred dollars. **Seconded** by Vice Chairman Shambaugh. Supervisor Campbell asked what are the fees and is this only for the Township. Solicitor MacNeal stated that the fees are set by statute. It was also noted that there is some additional liability with an employee notarizing documents. Supervisor Decker stated that this should not be open to the public but just for the Township. Mr. Ron Stevens, township resident, noted that Members 1st does this service for free. Supervisor Campbell noted that since this is limited use there should only be one notary. The motion was withdrawn and it was noted that the Township Secretary is also a notary and that it will remain with the Secretary being the notary.

ORGANIZATION REPORTS

1. Police – Chairman Lerew noted that the next meeting will be held February 19, 2008.

2. Fire – There was no one present from Citizens Hose Co. Mr. Blouch from Franklinton Fire Company was present and gave the following report: for the month of January there were 10 calls in

Franklin Township. The second page of the report gives the breakdown of each call. Chairman Lerew asked Mr. Blouch about the well drilling. Mr. Blouch indicated that he has not received a report yet. One well was drilled but the bit broke. The well had reached 195' and a reported 30 gpm. It was noted that this up to the developer to provide and pay for the well drilling. This report is on file at the Township office.

3. EMS – Ms. Traci Cook presented the EMS report. There were 16 calls in Franklin Township with 11 medical, 3 fire, and 2 MVA. Ms. Cook indicated that a second ambulance may be put on. The figures will be presented in April. Also submitted is the information on financial year end report. EMS has received \$10,000.00 in grant monies for laptop computers in the ambulances which will have GPS and the forms will be downloaded from the laptops. She reported that the equipment has been checked and repaired to be certified for use. It was asked if the Supervisors would like any kind of specific reports either monthly or quarterly with regards to intersections and/or accidents. Supervisor Campbell stated Mountain Road since there will be a new development going in. There was discussion on reports from both fire companies and it being beneficial on a year to year comparison and on a monthly basis or maybe a quarterly basis.

4. DAA - No report was given.

5. Emergency Management – No report was given.

6. NYCRCRCP Transportation – Mr. Wayne Kober presented this report. YAMPO has been approved for funding which has to do with the update to the Comprehensive Plan. Sometime in May PennDOT will make a decision statewide which would make the monies available July 1st. There is a 20% match and Mr. Kober noted that he has a meeting tomorrow with Mr. Ed LeClear of DCED at the Keystone Building to see what the best approach to filling out the application is. Mr. LeClear recommended that this be given a priority and that the application be submitted. Diane Price, Mark Hilson and Wayne Kober will be attending the meeting with Mr. LeClear. The application would not be accepted until July 1st. If the Township gets the funding then York County will get consultant will do a study and the Township will have to enter into an agreement. York County is requiring the Implementation Agreement be signed. It was noted that a committee will be formed to discuss the content. Supervisor Brown noted that this meeting will be advertised and is open to the public and that every municipality will choose 2 representatives.

It was noted that Representative Scott Perry was meeting with PennDOT and that he is concerned that this is just another study. He recommended that all the provisions for Route 15 would be determined early in the study. Dillsburg and Carroll Township has had discussion with developments regarding previous studies but no projects.

Mrs. Anne Miller noted that Mr. Kober presented a study plan to YAMPO and this was turned down and asked how this is different from last year. Mr. Kober noted that there was a meeting with PennDOT in June and it was suggested to take a different approach. It was noted that this is an amendment to the NYCRCRCP of the transportation element and with the five components this now goes beyond Route 15 north of Dillsburg to Ridge Road and it still includes Latimore and Huntington Townships. The official map was also questioned and Mr. Kober stated that they do not know what land use will come out of the study. It was noted that \$150,000.00 funding for another study and it

was suggested that more information be given before anything is done. If there are changes to the Implementation Agreement Mrs. Miller asked how will the public know and there must be public support. Mrs. Miller asked why Mr. Kober's plan is being pushed forward at taxpayers expense when there is no guarantee that that the plan will be implemented. She recommended that the 2001 plan be reviewed to avoid duplication of efforts.

Mr. Robert Yerger suggested that the Planning Commission and Board of Supervisors have a workshop meeting to be able to have more discussion. Mr. Kober stated that the workshop should include Mr. Will Clark and Mr. Randy Beck from the County to talk about the previous studies and the proposal and it should be sometime before May and to hold it where there will be enough room.

7. Ad-Hoc Committee – Supervisor Brown noted at the January 30, 2008 municipal officials public meeting for the change to the Comprehensive Plan that 3 municipalities passed the Resolution and that Franklinton did pass the Resolution last week. The agenda for Ad-Hoc Committee meeting for tomorrow night was reviewed as follows: 1) discuss possible zoning change for accessory structures, 2) discuss possible zoning and SALDO changes associated with flag lots, 3) discuss possible zoning and SALDO changes associated with steep slopes, 4) discuss possible revisions to SALDO to move 3rd party approvals to final plan approval vice preliminary plan, and 5) discuss latest draft of SALDO Chapter 14 Recreation areas/facilities. Supervisor Brown noted that if the meeting is changed because of snow he will e-mail and telephone everyone. There will be a meeting on February 25 to discuss the Implementation Plan. The meeting is to begin at 6:30 p.m. at the Carroll Township building. Each municipality will need 2 representatives. Supervisor Decker asked if it should involve more than Route 15. Supervisor Brown stated that this is for the whole comprehensive plan. Supervisor Decker questioned the regional recreation plan and will it be implemented. The Implementation Agreement was again discussed. Route 15 is something we can try to improve. Supervisor Decker noted that we better be careful in how we get the \$150,000.00 that we aren't selling our souls. Supervisor Campbell said this forces no one to do anything. Supervisor Brown said the implementation of the plan implements nothing. It was noted that Route 15 needs help now. Chairman Lerew noted that at the January 30th meeting the municipalities were in favor of the transportation issue but that nothing else is attached to it. Supervisor Decker noted that we should be careful with the wording and not do something just to do something but something that will be productive for the issue that we are addressing.

Motion: Vice Chairman Shambaugh made a motion to accept Chairman Lerew and Supervisor Campbell as the representatives for Franklin Township at the February 25th meeting. **Seconded** by Supervisor Brown. The motion carried. Supervisor Decker stated that this is not necessary but agrees with the 2 representatives that have been chosen.

SUBDIVISION AND LAND DEVELOPMENT

1. Albert & Janet Glenn Final Subdivision Plan, Waiver Request, Approval or Time Extension

Engineer Knoebel noted that this is a 2-lot subdivision on Whiskey Springs Road. The one new building lot is via a panhandle and this plan has moved along with the comments. The applicant is requesting a time extension and a waiver request for Lot 2 for a second test site from §403.d of the SALDO. The Township ordinances require a second test site. DEP does not require a second test site on this type of system, which is a spray irrigation system. Engineer Knoebel indicated that he had a lengthy discussion with the SEO and the issue is the minimal amount of soil. This system was

described to the Supervisors. Supervisor Decker questioned the maintenance and agreement of this type of system and that the Township should keep a running record. It was noted that the Township needs some type of protection such as a maintenance agreement which would need to be reviewed with upkeep, inspections, etc. as per DEP. There was discussion with a back-up system. Engineer Knoebel stated that for a replacement system the applicant would need to find another spray field site and having an add-on to the property or have an easement. Engineer Knoebel stated that if the Supervisors grant the waiver there should be a maintenance agreement reviewed by the Supervisors before the module is forwarded to DEP. It was also noted that there is another subdivision plan submitted by the same applicant and 3 of the lots being proposed are going to have a spray irrigation systems. Mr. Nathan Hoover, applicant and Mr. Todd Lyons, surveyor were present. Mr. Hoover indicated that these systems have been around since 1995 and are more expensive than a sand mound. Supervisor Decker noted that DEP is assuming proper maintenance will be done on these systems. She noted concern that an individual may need the back-up site and perhaps they could put up money for maintenance. Mr. Lyons said the spray system maintenance is over 6 months which is better than the drip system which alternates fields. Supervisor Decker said the denitrification system created quite a bit of responsibility on the Township. If we get a number of these systems in the Township who keeps tract of them.

Motion: Supervisor Campbell made a motion to grant the waiver for the back up testing conditioned the Township receive, prior to the planning module, that an agreement meets the approval of the Supervisors, SEO and Solicitor. The motion died due to a lack of a second.

Motion: Vice Chairman Shambaugh made a motion to deny the waiver request. **Seconded** by Chairman Lerew. The motion carried with Supervisor Campbell opposed.

Motion: Supervisor Decker made a motion to accept the time extension until June 27, 2008. **Seconded** by Supervisor Brown. The motion carried unanimously.

Mr. Lyons noted that if he creates an easement on Lot 1 if that would be acceptable and the Supervisors did not have a problem with that. The easement will be incorporated with the deed. The planning modules were given back to Mr. Lyons at this time.

2. Sophia Pearlman Final Subdivision Plan, Sewage Planning Module, Time Extension

Engineer Knoebel reviewed the history of this plan with the Supervisors. Supervisor Decker removed herself from the Board at this time. The Planning Commission did recommend denial of this plan because of no action or representation. Engineer Knoebel reviewed this plan quickly and this plan went before the Planning Commission but they indicated they would review the plan if sent back to them from the Supervisors. It was noted that there is an issue with the site distance. Supervisor Campbell stated that this should go back to the Planning Commission before the Supervisors act on it. There also needs to be a clear understanding regarding the legal issues. Solicitor MacNeal stated that she had just received tonight a packet of information from the objector's attorney with legal proceedings against the applicant and litigation has been started. Solicitor MacNeal stated that the Supervisors hear from the applicant and objector then the Supervisors could make a decision on the time extension versus action on the plan or to put the plan on "hold". Chairman Lerew asked if on the deed it said this property cannot be sold without offering to the other property owners. Solicitor MacNeal stated that there are private issues with deed restrictions but the applicant needs to meet the

requirements of the ordinances. Supervisor Campbell noted that the Planning Commission saw 2 different versions of the lot. It was noted that the ordinance and MPC states that the plan must be certified by a licensed surveyor and then you can review it. Solicitor MacNeal indicated that this plan does meet all the requirements of the Township ordinance. There was discussion if the Township would want to hire a third party surveyor with Township funds. Solicitor MacNeal indicated that she has researched this in depth with numerous cases and believes this is the correct answer. It was noted that the objector does disagree with Solicitor MacNeal. Solicitor MacNeal recommended that with the time extension that the Supervisors should hear both sides then either act on the time extension, put this plan on hold or continue to move forward even though there is a private lawsuit.

Mr. Robert Walker, attorney for the applicant spoke first. He indicated that regarding the litigation he has not heard of anything. With regards to the time extension the applicant is not willing to grant. If the Planning Commission looked at this plan and made a recommendation he does not believe that will change anything. The plan does meet the requirements of the ordinance. Solicitor MacNeal noted that there are still outstanding issues as noted in comment #7 the site distance. Mr. Walker noted that he disagrees with the engineer's interpretation of §511 of the SALDO which pertains to driveways. Mr. Walker stated that a driveway will require a PennDOT permit since it is a state road. The surveyor is prohibited from measuring the site distance since the objectors believes they own that road frontage.

At this time Engineer Knoebel noted that he did a plan review on January 31st and reviewed his comments as follows:

1. YCPC comment should be considered.
2. Sewage planning approval is required.
3. Owner's acknowledgement is required.
4. Note #8 indicates that the ordinance related to recreation areas is not applicable. Since by this revised plan a new building lot is being created we are inclined to recommend that the recreation requirements are applicable however the Township may wish to consult with the Solicitor.
5. Property corner markers and monuments are to be set or bonded.
6. The plan proposes to modify/remove note #2 of the 1975 subdivision which states that "Lots 2 & 3 to be conveyed to adjacent property owners and become integral parts of their land". There have also been objections made by the adjoining property owner regarding the location of the property line and potential resulting impact on the ability for the subject property to front on a public street or right-of-way. These matters have been the subject of substantial discussion and debate between the applicant and the adjoining property owner with regard to the validity of the various plans and subsequent representation of property lines.

It has been our recommendation that the parties work to resolve the matter. However the Township has been presented with a revised plan for the subject property without resolution of this matter. The revised subdivision plan which has been sealed and signed by the responsible licensed surveyor was also accompanied by a response letter dated January 29, 2008 in which the surveyor responds to the prior comments.

Our position as Township Engineer does not include the responsibility to act in a manner so as to dispute or correct property lines which have been shown on a survey or subdivision plat

that has been signed and sealed by a licensed surveyor. It is therefore our understanding that the Township will need to consider the plan as it has been presented.

In summary since the adjoining property owner objecting to the plan is represented by legal counsel the Township should consult specifically with its solicitor regarding this matter.

7. Suitable access meeting PennDOT sight distances must be provided. The plan shows a potential access, required sight distances and potential sight distances. However, it is our understanding that the potential sight distances are speculative based on future removal of vegetation. Sight distances must be confirmed prior to approval of the plan. In addition a Highway Occupancy Permit will be required prior to issuance of a building permit.

Engineer Knoebel noted in regards to comment #1 that he has the sewer planning module and this can be forwarded to DEP. Comment #4 with the recreation requirements needs to be determined. Comment #7 regarding the sight distance needs to meet §514.A.11 for an HOP. Mr. Walker indicated that it does show potential for the sight distance but they cannot verify this as previously noted. Solicitor MacNeal indicated that there are 2 issues with the sight distance that the defect is correctable and the HOP with the site distance is part of the third party approval. Engineer Knoebel stated a note on the plan comes from the MPC. PennDOT will check for the site distance.

Ms. Kathleen Misturak-Gingrich, attorney for the objector, spoke next. She stated that she objects with Solicitor MacNeal on the legal analysis and asks that the plan be disapproved. The former solicitor, Edward Schorpp, had noted that the subdivision of this property with Lots 1 & 2 was a violation of the SALDO and is now a stand alone property which is a violation but it was only to be an add-on lot. Ms. Misturak-Gingrich stated that she is in opposition of the time extension and this plan going back to the Planning Commission. She asks that the Township issue a denial letter. She indicated that she will file an injunction if the plan is approved. There was discussion on whether or not Ms. Pearlman owns this property. Solicitor MacNeal asked for an executive session at this time since there is threaten litigation.

The Supervisors when into executive session at 9:42 p.m. with Supervisor Decker excusing herself. The meeting reconvened at 9:54 p.m.

Motion: Vice Chairman Shambaugh made a motion to approve the sewage planning module for the Pearlman Subdivision Plan. **Seconded** by Supervisor Campbell. The motion carried unanimously.

Motion: Vice Chairman Shambaugh made a motion for conditional approval as follows: 1) approval of the sewage planning module is received; 2) owner's acknowledgement is executed; 3) payment of the recreation fee; 4) property corners and monuments are to be set or bonded; 5) site distances are provided; and 6) receive approval of the HOP from PennDOT. **Seconded** by Supervisor Campbell. The motion carried unanimously.

At this time Supervisor Decker returned to the Board.

3. Time Extension, Appalachian Tennis Club

Engineer Knoebel noted that there is an issue with wetlands and they must be located.

Motion: Vice Chairman Shambaugh made a motion to accept the time extension for Appalachian Tennis Club until April 30, 2008. **Seconded** by Supervisor Brown. The motion carried unanimously.

4. Planning Commission Annual Report

This is informational only and no action is needed.

REPORTS

Engineer

1. Joseph's Machine Shop

Engineer Knoebel noted that this property was looked into and there is concern that fill is being brought onto the property. He had met with the owner Mr. Joseph Pigliacampo. No measurements were taken but it is recommended to follow up with a letter since the Township has an ordinance which the property owner must obtain. The Township needs to be provided with a survey of the property location with the extent of the fill that has been placed in relation to the approved land development plan. It was recommended that no more fill be placed on the property until information is received but there has to be a time designated to respond. It was suggested to give the Mr. Pigliacampo 60 days to respond and Engineer Knoebel will send the letter. He wants Mr. Pigliacampo to show on his land development plan the extend of the fill area.

2. Capitol Hill Road Bridge

Engineer Knoebel gave an update and noted that he is waiting for the structure accuracy letter from PennDOT. The information was submitted in December and he stated that he had called today. It was suggested that they prepare quote packages and send them out. Engineer Knoebel noted that he does not feel that PennDOT will change anything. It is hopeful that the Township gets a good quote and this can be started soon.

3. Ponderosa Park

Engineer Knoebel noted that he had prepared a drawing layout for work to be done at Ponderosa Park but it is not a final design. The property is located at S. Mountain Road and Water Street. There was a site visit survey and the parking area will provide access to the senior area. The buffer area was discussed along with the slope of the parking lot and the embankment which is an 8:1 grade. The multi purpose field is regulation size. It also shows the existing soccer field. The Township does have a master plan but Engineer Knoebel stated that they are putting together a grading and erosion plan as the next step. This layout is somewhat different from the master plan. The Park & Recreation Board wanted the Supervisors to see this before spending more time. Chairman Lerew asked what would be the time frame in starting this and Engineer Knoebel noted that it would vary depending on YCCD and if permits are needed. French drains were discussed. Supervisor Decker asked about the 4:1 slope and it was noted that they would need to get rid of the buffer and shorten the field. An 8:1 slope is better but this can always be adjusted. Soccer Association would like to have 2 fields and it was noted that they pledged money previously and it still stands.

Vice Chairman Shambaugh stated for the record that he is opposed to this, the Township has a master plan that shows more fields and the Township is not applying for any grants.

Supervisor Decker stated that she likes the layout and spoke of the possibility of tennis or basketball courts by the parking area. It was noted that there may not be enough room. Supervisor Decker also

stated that this is for all the people of the Township and that their needs are to be met and not just for sports. The tennis courts and basketball courts could be moved to the other end.

Motion: Chairman Lerew made a motion to move this forward if it is satisfactory. **Seconded** by Supervisor Decker. Supervisor Campbell noted that he is not that informed with this park. The motion carried with Chairman Lerew, Supervisors Decker and Campbell voting in favor and Vice Chairman Shambaugh and Supervisor Brown opposing.

Solicitor

1. Zoning Amendments

Solicitor MacNeal noted that the zoning amendments are on hold until the Ad-Hoc Committee works through any other possible additions. These amendments have been submitted to YCPC and the Township will receive some insight from them.

2. Sherwood Heights, Litigation

Solicitor MacNeal indicated that she would like to call an executive session to discuss the litigation.

3. Boyer Letter Regarding Steep Slope

Solicitor MacNeal indicated that The Boyer's have a steep slope variance issue. The building permit was denied and Mr. Fahey sent the Boyer's to the Zoning Hearing Board as they want to build a house on a flat piece of land but it is surrounded by more than 15% slope, as noted in the zoning ordinance. Engineer Knoebel attended the hearing and the hearing is being continued as no topography survey was done and the Zoning Hearing Board felt that they did not have enough information and the applicant was asked if they wanted to submit drawing showing the slope, which was done. Mr. Fahey reviewed the drawings and wrote a letter to the Boyer's but is requesting direction from the Supervisors. Solicitor MacNeal stated that she has no problem but does have some concern with how much information was put in the letter. This letter has not been sent. Engineer Knoebel stated that this is an important matter because of the slope requirement being 15%. It was recommended that Solicitor MacNeal assist Mr. Fahey in composing the letter. It was noted that if the Township is interested in representation that Solicitor MacNeal attend the next hearing but that Engineer Knoebel can give technical advice. Also discussed was if a stormwater management plan and grading plan would be needed and made a condition of the variance. Since this is in the ordinance this could have some implementations. This has been forwarded to the Ad-Hoc Committee for recommendations with the language. Chairman Lerew asked since this is going to the Ad-Hoc Committee should this transpire at this time and Solicitor MacNeal noted that it can be done at the same time since the application was already submitted. There was discussion on whether this was a previously approved building lot. By law every lot has the right to be built on. If the applicant can show the economic value of the lot has been removed because of the ordinance that shows the hardship. The applicant did provide the topography survey and they now feel they don't need the variance and this is the reason for Mr. Fahey's letter. Vice Chairman Shambaugh asked why we are sticking our nose in this. Supervisor Campbell stated that this letter needs to be re-written. Solicitor MacNeal also asked if the Supervisors want representation at the hearing. It is possible that the applicant could file an appeal. Supervisor Decker stated that in the future with steep slopes that the SEO does not do soil tests. Engineer Knoebel stated that the area the testing was done is not in the steep slope but that you go through steep slopes to get to the property. The SEO could caution the applicant that they may want to check with the

Township on other ordinances but you cannot deny the soil testing. It was noted that the Zoning Hearing Board can put conditions on an approved variance.

Vice Chairman Shambaugh noted his opinion is to stay out of it and if Mr. Fahey needs the engineer for technical advice he should receive it. This issue should also continue with Ad-Hoc Committee meeting. There was discussion on the amount of acreage. Vice Chairman Shambaugh stated that they should authorize Engineer Knoebel to attend the meeting if Mr. Fahey requests him.

In Mr. Fahey's report the last paragraph it is noted that he is receiving numerous requests from real estate agents on the zoning ordinance. It was suggested that Mr. Fahey should receive the requests in writing before making a determination.

Building Permit & Zoning Officer

In Mr. Fahey's report is on file at the office.

Roadmaster

Vice Chairman Shambaugh noted that the Roadmaster has submitted his report.

A dirt and gravel road program correspondence was received and an inspection of Gameland Road will be held on February 27th if any of the Supervisors are interested. Supervisor Decker noted that Willow Glen is part gravel and asked what the purpose of the inspection is? It was noted that PennDOT is doing an assessment of the road.

The Twin Hills area residents were informed about the emergency route procedures but there is an issue that the Roadmaster talked with the police and they do not want to enforce but they suggested changing the ordinance that there is no parking on the streets between November 15 and April 15.

The Roadmaster is getting ready to purchase the new truck and it was noted whether to get a 4-door or 2-door cab. The price for the 4-door is approximately \$2,300.00 more.

Motion: Supervisor Brown made a motion to go with the 2-door cab. **Seconded** by Chairman Lerew. Supervisor Decker asked for discussion and noted what the Roadmaster wants. It was noted that the 4-door would be better for doing road inspections. The motion carried unanimously.

Park & Recreation

Supervisor Decker noted that was no meeting in January.

1. Dillsburg Youth Baseball & Dillsburg Area Soccer Club

Supervisor Decker stated that the Soccer Club will no longer be using the Township meeting room. Supervisor Decker stated that correspondence was received from the Baseball and Soccer Clubs requesting permission for the use of the fields. The use of the fields in March is only if the conditions of the fields are suitable and they must work together. After discussion it is noted with both clubs the use of the fields are not permitted on Sundays unless it is with special permission.

Motion: Vice Chairman Shambaugh made a motion to allow Dillsburg Youth Baseball and Dillsburg Area Soccer Club the use of the fields with the conditions as just stated. **Seconded** by Chairman Lerew. The motion carried unanimously.

OLD BUSINESS

1. L.A.B.S. Report (Eichelbergers UV Light System Proposal)

Chairman Lerew stated that he had the Roadmaster contact Eichelbergers, Inc. as they had put a UV system at Ponderosa Park. The Township received a quote from Eichelbergers at a cost of \$736.00 which includes the installation and it will be placed in the same area.

Motion: Chairman Lerew made a motion to approve the cost of \$736.00 and that Eichelbergers install this as soon as possible. **Seconded** by Supervisor Campbell. The motion carried unanimously. Vice Chairman Shambaugh asked if the well had been shocked and it was noted that the test results were worse. It was questioned if the well is cased and it is for 84’.

Supervisor Decker noted that a letter from DEP was received and they note a procedure for public water when there are high levels of coliform and DEP needs to be notified within so many hours.

2. Township Building Expansion

Supervisor Brown noted that the building expansion should be discussed since we started with this a few months ago. It was noted that the Planning Commission may be able to work on some sort of design. It was suggested to place this on the agenda for next month’s meeting.

NEW BUSINESS

There was no new business at this time.

CORRESPONDENCE

1. Letter from Auditors

A letter was received from the Township Auditors that if any Supervisors has any concerns about the financial reports it needs to be brought to their attention. It was also noted that there may be pending litigation regarding Sherwood Heights. A letter will be written.

2. Clyde Flohr, Tax Collector

Correspondence was received from Mr. Flohr regarding the purchase of a computer program for the collection of taxes, making reports, recording daily collections with a total cost of \$800.00. There was discussion on whether the Township should help with the cost since he is not a Township employee. It was noted that Mr. Flohr gets paid 5% of the total revenue which is the maximum for collecting taxes.

Motion: Supervisor Campbell made a motion to pay half of the \$800.00 for the software. **Seconded** by Supervisor Brown. The motion carried unanimously.

Motion: Supervisor Decker made a motion to pay half of the \$200.00 for the scanner. **Seconded** by Chairman Lerew. The motion carried unanimously.

3. PA Housing Correspondence

Correspondence was received from Pennsylvania Housing Finance Agency regarding a development on South Mountain Road that PHFA has received an application for funding an affordable housing development. There is only one copy of the plan but this was not a formal submission. The plan and correspondence is available for any Supervisor who wishes to review this.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

The Board of Supervisors went into Executive Session at 11:30 p.m. to discuss the Sherwood Heights Litigation with no action to be taken. The Pearlman issue was also discussed.

ADJOURNMENT

The meeting was adjourned after the Executive Session.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary