

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
November 9, 2009**

**ROLL CALL**

Present were Supervisors Donald Lerew, John Shambaugh, Gary Brown and Edward Campbell. Also present were Solicitor Stacey MacNeal, Engineer Timothy Knoebel, Treasurer Phyllis Emlet, and Secretary Nancy Zentmeyer. The meeting was called to order at 7:04 p.m. The meeting was held at the Franklin Township Municipal Building, 150 Century Lane, York County, PA. Guests and visitors are on the attached sign-in sheet.

**PLEDGE OF ALLEGIANCE AND PRAYER**

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

**PRESENTATION OF PLAQUE TO GERI NOVESAL**

Chairman Lerew presented a plaque of appreciation to Geri Novesal for the outstanding work she did for the Township's 200<sup>th</sup> anniversary held on October 3, 2009 at the Century Lane Park. Mrs. Novesal then presented to the Supervisors a plate marking the Bicentennial.

**APPROVAL OF MINUTES**

**Motion:** Vice Chairman Shambaugh made a motion to approve the minutes of the Regular Meeting of October 12, 2009 as submitted. **Seconded** by Supervisor Campbell. The motion carried with Supervisor Brown abstaining.

**Motion:** Vice Chairman Shambaugh made a motion to approve the minutes of the Budget Meeting of September 30, 2009 as submitted. **Seconded** by Supervisor Brown. The motion carried.

**Motion:** Vice Chairman Shambaugh made a motion to approve the minutes of the Budget Meeting of October 13, 2009 as submitted. **Seconded** by Supervisor Campbell. The motion carried with Supervisor Brown abstaining.

**APPROVAL & PAYMENT OF BILLS**

Supervisor Brown questioned the bill from Bound Tree. Treasurer Emlet noted that is for supplies that Mr. Laurin Fleming, Emergency Management Director had ordered.

**Motion:** Vice Chairman Shambaugh made a motion to approve the payment of the bills as submitted. **Seconded** by Chairman Lerew. Supervisor Brown questioned the Lobar Associates \$2,900.00. on the Recreation Fund bill list. The motion carried.

It was noted that the restrooms at the Century Lane Park are now in good working order.

**TREASURER'S REPORT**

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

### **1. Proposed Budget for 2010 - Advertisement**

Treasurer Emlet noted that the proposed budget for 2010 has been provided to the Supervisors and that it needs to be advertised and on display to the public for 30-days.

**Motion:** Vice Chairman Shambaugh made a motion to advertise the proposed budget as noted. **Seconded** by Supervisor Campbell. The motion carried.

### **2. Members 1<sup>st</sup> Proposal**

Treasurer Emlet noted that the credit cards from Members 1<sup>st</sup> have been delivered and that the insurance with Members 1<sup>st</sup> is the same as other institutions of \$250,000.00. There was a discussion on the funds the Township has and it was noted that Members 1<sup>st</sup> cannot do the federal taxes with payroll but can transfer monies from other banks. There was discussion on the general and payroll funds staying at M&T Bank. Treasurer Emlet reviewed the accounts with the Supervisors and moving of funds from the banks. Mrs. Emlet noted that she would like to wait until the beginning of the new year before switching banks. It was noted that Mrs. Emlet is to get more information by the next meeting.

### **3. Comcast Business Class Telephone Service**

Information was given at a budget meeting and a copy of the agreement had been sent by Comcast. It was noted that the Township currently has their phone service with Verizon which is an approximate cost of \$187.89 per month. Comcast's proposal shows a cost of \$148.90 per month. There was discussion on the activation fee and it discussed to see if that fee could be dropped. Mrs. Emlet noted that a year ago she had received information from Line Systems regarding phone service.

## **ORGANIZATION REPORTS**

**Police** – Chairman Lerew noted that the police report will be on file at the Township office.

**Fire** - Mr. Mike Whitzel from Franklinton Fire Company reviewed his report. For the month of October there were 18 calls in the Township. Mr. Whitzel questioned the status of the dry hydrants and Engineer Knoebel noted that he is working with Mr. Laurin Fleming and some of the sites are not acceptable. The list is down to a few properties. There were questions regarding the dry hydrants and if there would be a reduction with fire insurance. ISO can certify dry hydrants but the water needs to flow for 2 hours. There was also discussion regarding the service contract that was previously discussed. Mr. Whitzel would like to sit down with the Supervisors and Solicitor at a meeting to discuss this. Solicitor MacNeal stated that she needs to know what the Township and Fire Company wants in the contract.

Mr. Tony Baker from Citizens Hose Co. #1 presented and reviewed his report. For the month of October there were 6 calls in the Township with a total of 34 incidents year to date. The fire department conducted fire prevention at several daycares in the area. A Sparky the dog costume was purchased in time for the fire prevention. The Dillsburg Kiwanis donated the funds needed for the purchase. With Farmers Fair being rained out there was a loss of \$1,000.00 to \$3,000.00. On October 31 the department led a parade around the Holly Hills Development for trick or treat.

**EMS** - Ms. Traci Cook presented the EMS report with the month of October having 25 calls in the Township. There was discussion regarding CPR classes and the possibility of having training at the Township building.

**DAA** - There was no report presented at this time.

**Emergency Management** - Mr. Robert Yerger indicated that they had 1 activation for an incident on Tuckahoe Road. Some training is in the planning mode.

**NYCRCP Transportation** - Supervisor Brown noted that the next meeting will be held tomorrow at Carroll Township. At the last meeting Section 3 and 4 were reviewed. Comments were made with concerns of the existing roadway conditions and the environmental issues. Also discussed was the traffic count estimate but they are not talking about the right growth rate which would help with projects being proposed. York County Planning Commission will be giving a presentation on November 19 beginning at 6:30 p.m.

**Building Committee** – Mr. Yerger noted that the next building committee meeting will be held on November 17 beginning at 7:00 p.m.

### **SUBDIVISION AND LAND DEVELOPMENT**

#### **1. Helen O. Krause Animal Foundation – Waiver Request for a Formal Land Development Plan**

Engineer Knoebel noted that the Foundation went before the Zoning Hearing Board for a Special Exception for the expansion and renovation of the dog facility which they received approval. After the zoning hearing the Foundation went to the Planning Commission for a waiver request of doing a formal land development plan. The Planning Commission made the recommendation of approval of the waiver request with the conditions that a site plan be submitted in conformance with the zoning ordinance, a storm water management plan is submitted and that the erosion and sediment plan meet the requirements. Ms. Beth Misakonis a volunteer with the Foundation was present to answer any questions.

**Motion:** Vice Chairman Shambaugh made a motion to approve the waiver request by the recommendation of the Planning Commission. **Seconded** by Supervisor Brown. Supervisor Campbell noted a concern about the waiver request for a land development plan with the position that the Township is saying this is okay and under certain conditions is the Township not creating documentation that may be needed in the future. It was also noted what about the next person who wants a waiver from doing a land development plan. Vice Chairman Shambaugh noted that they are still doing the work and Engineer Knoebel noted it is just not a formal plan but are still doing a site plan, storm water management report, the grading and the erosion and sediment plan. Supervisor Campbell still noted concerns. Ms. Misakonis stated that estimates were given for a land development plan and they were costly. The time frame was another concern because of the review process. The motion carried with Supervisor Campbell opposing.

### **REPORTS**

#### **Engineer**

Engineer Knoebel noted that there is no action needed at this time for the projects he is working on. It was questioned if the Leininger plan had been looked at and it was noted that he will be meeting with Mr. Fahey this Friday.

The Chainsaw Road issue with run-off was discussed. There are 3 property owners that share one driveway and Engineer Knoebel stated that they are trying to get a meeting with all 3 property owners and the date is to be determined. It was also noted that letters have been sent to these property owners.

## **Solicitor**

Solicitor MacNeal also addressed the Chainsaw Road issue and noted that if it becomes an enforcement issue with the driveway ordinance it would need to be looked at and if the driveway pre-dates the ordinance. With the storm water conditions there are 2 items to look at: 1) the nuisance ordinance and 2) the Second Class Code, Section 2326 Obstructions and Nuisances. These are both summary offense. Mr. Kober asked if there is a deadline to do anything and Engineer Knoebel indicated no. Solicitor MacNeal stated that litigation does not necessarily mean it will get done. It was noted that the 3 property owners have to decide what to do. Supervisor Campbell recommended seeing what could be done between now and the December meeting.

### **1. NYCRPD Pension Packet**

Solicitor MacNeal requested that this be tabled at this time.

### **2. Executive Session**

Solicitor MacNeal requested an Executive Session.

## **Building Permit & Zoning Officer**

Mr. Brian Fahey presented his report. It was brought to the Supervisors attention that Mr. & Mrs. Neil Olcott had found a bullet in their front door. Their property is located on Ken-Lin Drive. Vice Chairman Shambaugh stated that this should be investigated. Chairman Lerew will contact Chief Segatti regarding this.

### **1. Zoning Forms**

Mr. Fahey stated that he has redone the zoning permit and zoning hearing board application. These need to be reviewed by Solicitor MacNeal.

### **2. Conditional Use Hearing**

Mr. Fahey noted that the date of the Conditional Use hearing he will be a Johns Hopkins with his wife. Solicitor MacNeal stated that Mr. Fahey could prepare a statement or document and should also verify that the property has been posted and advertised.

### **3. Pricing Structure of Permits**

Mr. Fahey had given the Supervisors information in his report regarding the pricing structure for building and zoning permits which was discussed. Solicitor MacNeal noted that she and Mr. Fahey can discuss this at a later date instead of going into this tonight.

Vice Chairman Shambaugh questioned the property on Franklin Church Road where a resident has a repair shop and a lighted sign advertising the business. Mr. Fahey noted that it is the same size sign as before but it cannot be lighted as noted in the zoning ordinance. It was noted that this needs to be investigated. The sign was previously attached to the building but is now a free standing sign. Mr. Fahey is to pull the permit to see what was approved.

Also discussed with the property on Franklin Church Road where the dumpster that is full needs to be taken away. Mr. Fahey will contact the trash hauler.

## **Road master**

Vice Chairman Shambaugh requested that other municipalities be contacted regarding the fees they charge for their building and zoning permits.

Vice Chairman Shambaugh noted that the road master's report will be on file at the Township office.

A letter had been received from a resident on Willow Glen Road regarding potholes that need to be fixed. There was discussion on who owns the road as portions of it are in the State Game Land. The Road master indicated that the potholes were fixed last Friday. The Road master will provide Solicitor MacNeal with the correspondence he has.

### **Parks & Recreation**

There was nothing to report at this time.

It was noted that a complaint had been received about horses at Century Lane Park and the mess it has created.

### **OLD BUSINESS**

There was nothing to discuss at this time.

### **NEW BUSINESS**

#### **1. Copier Quotes**

It was noted that more information is needed such as a price which includes unlimited copies instead of paying for additional copies. This was tabled until next month.

#### **2. L.A.B.S., Inc. – Cost of Analytical Services for 2010**

A copy of the cost of analytical services for 2010 has been received and it was noted that the prices are the same from 2009.

**Motion:** Supervisor Campbell made a motion to accept the cost of analytical services for 2010 as noted. **Seconded** by Chairman Lerew. The motion carried.

There was discussion regarding the capped well at Ponderosa Park and it was noted that testing should be done now.

### **CORRESPONDENCE**

#### **1. Winter Snow Academy - PennDOT**

Correspondence was received from PennDOT regarding a winter snow academy to be held on November 19. It was noted that the Road master should attend this academy.

#### **2. PSATS – Parliamentary Procedure Workshop**

A training workshop is being presented by PSATS on parliamentary procedure on December 3. After discussion it was noted that the Township Secretary attend this workshop

### **PUBLIC COMMENT**

There was no public comment as this time.

### **EXECUTIVE SESSION**

The Supervisor went into executive session at 9:10 p.m. with action to be taken.

**Motion:** Supervisor Brown made a motion for the police representative to sign Resolution No. 02-2009 which is from the Northern York County Regional Police Commission. **Seconded** by Supervisor Campbell. The motion carried.

The Supervisors went back into executive session at 9:19 p.m. with no further action to be taken.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary