

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

CALL TO ORDER

Present were Supervisors Donald Lerew, John Shambaugh, Gary Brown, and Naomi Decker. Also present were Engineer Timothy Knoebel, Solicitor Stacey MacNeal 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, 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, January 12, 2009

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

APPROVAL AND PAYMENT OF BILLS

Motion: Vice Chairman Shambaugh made a motion to pay the bills as submitted with discussion. Vice Chairman Shambaugh asked how many letterheads were purchased. Supervisor Decker indicated that she did not receive a copy of KPI's bill. **Seconded** by Supervisor Brown. The motion carried unanimously.

TREASURER'S REPORT

Motion: Vice Chairman Shambaugh made a motion to accept the Treasurer's Report as submitted. **Seconded** by Chairman Lerew. Chairman Lerew stated that the Township has moved money around and that the Township's money is not all in one bank. The motion carried unanimously. Supervisor Brown questioned the accounts in the banks and if they are covered by FDIC. Mrs. Emlet noted that she will check with the banks and then get the information back to the Supervisors.

1. Seminar, Solving the Mystery of Grant Writing

Motion: Vice Chairman Shambaugh made a motion for the Township to pay for the seminar. **Seconded** by Chairman Lerew. The motion carried unanimously.

Mrs. Emlet noted that the Liquid Fuels audit was done last week and the Township passed.

ORGANIZATION REPORTS

1. Police – Chairman Lerew gave report. In December 2007 there were 121 calls and in December 2008 there were 85 calls in the Township. The report is on file at the Township office is anyone wishes to review it.

2. Fire – Mike Whitzel from Franklinton Fire Company gave his report. There were 14 calls in Franklin Township for the month of January with a breakdown as follows: 1 trash fire, 7 medical assist, 3 vehicle accidents without injuries, 1 outside investigation, and 2 pole & wires transformer indicants. There were a total of 45 calls for the month of January. Franklin Township had a total of 159 calls for 2008. Mr. Whitzel thanked the Township for their support in 2008. He will be meeting with EMA in March. Dry hydrant installations are an issue he will be looking into. There were 2 accidents on Route 15 being at Cabin Hollow Road and Clear Springs Road for January 2009. Fundraising is on the decline.

At this time there was no one present from Citizens Hose.

3. EMS – Traci Cook was present to give the EMS report. There were a total of 16 for Franklin Township with a breakdown as follows: 13 medical, 1 fire, and 2 motor vehicle accidents. The year end report was also presented. Ms. Cook also gave the Township Secretary correspondence from their CPA regarding the accountants' financial compilation report. This will be on file at the Township office. It was noted that there is more coverage since there is an office assistant who is also an EMT. A medical director may be brought on board. A grant was applied for and was approved in the amount of \$74,000.00. Other monies were secured for the \$11,000.00 truck payment and \$5,000.00 for the radio system. A new ambulance will be bought with a trade in of the old one. Specifications will be mailed shortly to the 3 vendors.

Fire - At this time Tony Baker from Citizens Hose #1 gave his report. There were 2 incidents in Franklin Township for the month of January which was a hazmat incident and motor vehicle accident. There were a total of 38 calls. Mr. Baker noted that was a busy month. The fire company still has the safety trailer and is now looking to purchase "Patches & Pumper" a robotronics which is a dog driving a fire engine. This will reach the younger age groups. This will be another useful tool in teaching fire safety. The fire company is looking for contributions as the cost is \$9,700.00.

4. DAA - No one was present.

5. Emergency Management – Robert Yerger noted that they had met with the task force and went through the drill. It was noted that they are beginning an action plan.

6. NYCRCP Transportation – Supervisor Brown noted that the transportation amendment is on hold waiting for funding from LTAP. The State is short of funds and this would be 70% funded. Supervisor Brown commented on doing a Resolution which would guarantee funds if the other funding does not go through. Franklin and Carroll Townships would guarantee the other 10% in order to get the study to get started right away. \$7,330.00 would not be needed immediately and the payment would not be made for approximately 9 months. If this is not done the contract could slip further and further away. Supervisor Decker asked when this Resolution was authorized. . Supervisor Decker stated that she opposed with doing anything tonight with just getting it a few minutes ago. Supervisor Brown stated that this is important enough and the Resolution was drafted this afternoon and reviewed by the Solicitor. It is a model of the previous resolution. It was questioned what does this commit the Township to? Supervisor Brown stated that it is for the study for Route 15 with safety options for improving the intersections and a long term look where intersections would be in the future. Supervisor Decker questioned what connection does this have with an official map. It was noted that it

could be an option. Chairman Lerew suggested that they should think this over and that it be brought up at the March meeting. Supervisor Decker stated that she resents having this before her right before the meeting. Supervisor Brown noted that this could be discussed at tomorrow night's meeting.

Wayne Kober state that this is a matter of timing and this has been worked on for over 3 years. If it is delayed long enough federal money could go away. If Carroll and Franklin Townships pass these Resolutions the study could start next week. Supervisor Decker noted if federal monies are used there is a lot of guidelines and there could be strings attached. Supervisor Brown reviewed the Resolution with the Board and noted the change of "grant or other source of funding". Solicitor MacNeal did review and revise this resolution. Supervisor Brown stated that this could be discussed tomorrow at the Workshop meeting. Supervisor Decker noted that this should be delayed until next month and the Township needs to check the federal monies there are requirements as there is a lot more involved. Chairman Lerew stated that Route 15 is a problem and the other municipalities should be approached to help with the cost.

Mr. Kober stated that Dillsburg Borough tabled this and that he is trying to lower the dollar amount with getting money from the other municipalities. This is number one with DCED and is just trying to do the right thing. Mr. Kober noted with the speed corridor issue there was a meeting held on November 18, 2008 with local officials. The York County Center for Traffic Safety does various programs. With the traffic data this qualifies for funding of these programs. Police departments have to apply and NYRPD turned this down. It was noted that this pays for police overtime but not court time. Mr. Kober reviewed his notes from the January 29, 2009 meeting and discussed the 6 action items. It was noted that Mr. Kober is working with the Center for Traffic Safety for federal monies which are 100% with no matching funds needed.

Mr. Ron Stevens, township resident, suggested going to the PA State Police website. Route 15 is a federal highway but the state maintains it. It was also suggested to go to FAQ's at the website. The local police are not asking for state police protection. Mr. Kober stated that he is trying to get funds. Supervisor Decker noted that when Chairman Lerew goes to the next police meeting he should ask for the trailer that shows the speed of each driver, to be set up along Route 15.

7. Ad-Hoc Committee - Supervisor Brown noted that the last meeting was held in January and the Supervisors now have a draft of the new SALDO. The next step is to do the review and comment period then get the ordinance adopted. There is a 45-day review period. Solicitor MacNeal has reviewed this document. It was noted that at the March meeting the Township could start the clock. The Supervisors will be meeting with the Planning Commission in March for their comments. It was noted that the new SALDO could be adopted in either May or June. YCPC also needs to review this document and give the Township their comments. Supervisor Brown indicated that there was nothing to major that was changed. The items that need to be looked at are: conditional approval, recreation land dedication, and preliminary & final plan approvals. A public hearing will also be needed before adoption.

8. Building Committee - Bob Yerger stated that he has talked with Diane Price from Carroll Township and will be discussing issues with her. He and Laurin Fleming will be going to Shrewsbury and York Townships to look at their EMA's.

SUBDIVISION AND LAND DEVELOPMENT

1. 2008 Planning Commission Annual Report

The Supervisors acknowledged this report. It was noted that there are no time extensions. They are all due in March.

REPORTS

Engineer

1. Rowbottom Property

Engineer Knoebel noted that the right-of-way line was staked out. Mr. Fahey had submitted pictures and the wall is 3' within the right-of-way. It was noted that Mr. Rowbottom was directed to remove the wall and rocks from the swale. Solicitor MacNeal will send a letter to Mr. Rowbottom regarding what steps the Township is planning. There were concerns with the rocks being left on his property. If a debris pile is there for a long time then he will be cited. Mr. Rowbottom will be billed for the work that is done. It was suggested to give Mr. Rowbottom so many days to remove the rocks.

Motion: Vice Chairman Shambaugh authorized Solicitor MacNeal to send a letter indicating so many days to remove the wall and rocks and if this is not done then the Road crew is to remove. Supervisor Decker stated that the road crew could be in jeopardy. Chairman Lerew stated that the police should be there when the work is being done. **Seconded** by Supervisor Brown. Mr. Fahey commented on the dirt in his yard. Mr. Ocker, Road master, noted concern that the Township doesn't damage the property. Solicitor MacNeal noted that there is liability with either taking the rocks, someone hits the wall or pushing the rocks onto his property. The sign is also in the right-of-way. Mr. Fahey stated that there has been 4 months of letter writing. Solicitor MacNeal also indicated that a lien could be placed on his property. It was suggested to add to the motion a time frame to clean-up the rock pile once the Township has removed it. 60-days was the time frame given. Vice Chairman Shambaugh amended his motion to include the 60-day time frame to clean up. **Seconded** by Supervisor Brown. Supervisor Decker asked if the Township has the legality to have him remove the pile. Solicitor MacNeal noted that she would check on this. The motion carried.

Supervisor Decker questioned removing the wall but not pushing onto his property. Solicitor MacNeal stated there needs to be evidence that he damaged the road.

Solicitor

1. Insurance, Uninsured and Underinsured

Solicitor MacNeal stated that the insurance agent is recommending a reduction of underinsured and uninsured motorist coverage go from \$500,000.00 to \$35,000.00. This is for township employees driving township vehicles. Vice Chairman Shambaugh suggested that the township get an opinion from Gunn-Mowery.

2. Ordinance 1-2009, Authorizing Compensation for the Tax Collector & Imposition of Fees

Solicitor MacNeal noted that if there is any changes to the compensation it must be done by February 15, 2009. Solicitor MacNeal recommended that this be done by ordinance confirming the rate. Supervisor Decker noted there was information received regarding Carroll Township and there are other ways of handling compensation for the tax collector. Currently Mr. Flohr gets 5%, which is the highest percentage, and that is equal to \$3,200.00. The Township can charge fees for duplication etc. To adjust these fees it can be done by resolution. Mr. Flohr questioned how Carroll Township can

charge per bill. Supervisor Brown noted that the Township should adopt the ordinance and this be placed on the agenda for next month's meeting.

Solicitor MacNeal gave 2 updates. Mike Myers has paid his bill in full and a reminder of an executive session tomorrow at 6:30 p.m. with regards to collective bargaining.

Building Permit & Zoning Officer

Mr. Fahey presented his report with the main issue being the Rowbottom property. Mr. Fahey indicated that he was called out about water running across the street during a steady rain and that something should be done to correct this problem. The water is coming from the second driveway which no permit was issued. The property is in Mrs. Rowbottom's name only.

Motion: Vice Chairman Shambaugh made a motion to have a letter sent to Mrs. Rowbottom citing 30-days to correct the problem then the township will correct after the 30-days. Engineer Knoebel stated Rowbottom's did work on the property that created this problem. **Seconded** by Supervisor Brown. This would be citing both owners, Gunden and Rowbottom. Supervisor Decker questioned how the township can cite Rowbottom's since they do not own the property yet. Vice Chairman Shambaugh withdrew his motion.

Mr. Fahey noted the sign issue with being in the right-of-way. A complaint has been filed against Rowbottom regarding the gate footings and building without a permit. It was noted that Mr. Fahey will send a cease and desist letter.

Road master

1. Bob Eichelberger, Water Run-off Chain Saw Road

Vice Chairman Shambaugh noted that the report has been received. There is concern from township resident Bob Eichelberger regarding Chain Saw Road. This concern has been discussed before. It was suggested to have Engineer Knoebel look at this to see if there is anything the township can request from the homeowners. It was noted that Mr. Jacobs did some work and the road crew does clean out the gutters. The Township needs permission to drive up the driveways. It was suggested to possibility meet with the property owners. Maintenance is one of the main issues.

Park & Recreation

1. Quotes for Portable Toilets

The Township has received 2 quotes for a handicap portable toilet at Ponderosa Park. Associated Products gave a quote of \$135.00 per month and Walters Services gave a quote of \$26.50 per week. It was noted that Walters is less expensive.

Motion: Vice Chairman Shambaugh made a motion to accept the quote from Walters Services. **Seconded** by Chairman Lerew. The motion carried unanimously.

2. Letter of Resignation, Kenton Emlet

A letter of resignation from Kenton Emlet was received from the Park & Recreation Board, due to moving out of the Township.

Motion: Vice Chairman Shambaugh made a motion to accept the resignation from Kenton Emlet. **Seconded** by Supervisor Brown. The motion carried unanimously. Chairman Lerew stated that the recreation committee should fill this position.

3. Dillsburg Area Soccer Club, Request to Use Township Fields for 2009 and Dillsburg Youth Baseball, Request to Use Township Fields for 2009

It was noted that the soccer club is to use the hill for practice in the Spring. Supervisor Decker noted a couple of issues that need to be addressed is no Sunday games and if the fields are suitable for practice. Vice Chairman Shambaugh noted that this be delayed until the recreation board reviews these letters and makes a recommendation. The soccer club has been working with Engineer Knoebel and a sketch plan was developed.

OLD BUSINESS

1. 200th Anniversary Celebration, Set Date

After discussion on what the date should be to celebrate the Township's 200th anniversary the time frame of between September 19 and October 3 was brought up. This will be placed on the agenda for the March meeting.

NEW BUSINESS

1. Resolution 2009, dotGrants for Liquid Fuels

In order for the township staff to file forms electronically for the Liquid Fuels a resolution needs to be adopted.

Motion: Vice Chairman Shambaugh made a motion to adopt Resolution No. 1-2009 to use the dot.Grants system. **Seconded** by Chairman Lerew. The motion carried unanimously.

2. Open Records Training

The Township Secretary is requesting to go to training on the new open records law since she was appointed the Right-to-Know Officer.

Motion: Vice Chairman Shambaugh made a motion to approve the Secretary to attend the open records training. **Seconded** by Supervisor Brown. The motion carried unanimously.

CORRESPONDENCE

1. NYCSI, Summer Recreation 2009 Program

Correspondence was received from NYCSI regarding their summer recreation program. They are requesting that municipalities participate by paying half of the cost. The cost of the program is \$95.00 and the township would pay \$47.50 per child. This is a lower cost than last year and money was put in the budget. There were 13 children that used the program last year. Supervisor Decker feels that this money could go towards park and recreation.

Motion: Supervisor Brown made a motion to agree to participate with the NYCSI Summer Recreation 2009 Program. **Seconded** by Vice Chairman Shambaugh. The motion carried with Supervisor Decker opposing.

2. CCSG – PSATS Instruction Letter

Correspondence was received from CCSG regarding a course being offered through PSATS. Deana Weaver was present to give this information to the Supervisors. The course is for volunteer fire, emergency services and local government at a cost of \$60.00 per person. Ms. Weaver explained that since 911 these departments are dealing with much more, the expense of equipment and in the last 20 years the funding has really dropped off. The course will be held at Dillsburg Citizens Hose #1 on May 9, 2009 from 9:00a.m. until 4:00p.m. They are looking for 2 Supervisors to attend and the requirement is 12 in order to have the course which that number being exceeded.

Motion: Vice Chairman Shambaugh made a motion to approve the payment for any Supervisor wishing to attend this training. **Seconded** by Chairman Lerew. The motion carried unanimously.

PUBLIC COMMENT

Bob Yerger addressed the building project and expanding communication activities with trying his hand at a newsletter being sent out every 4 months.

On May 2 there will be a hazardous waste drop off which Franklinton Borough is sponsoring. This is through the York County Solid Waste Authority.

EXECUTIVE SESSION

The Supervisors went into executive session at 10:07 p.m. to discuss a personnel matter. The board reconvened at 10:30 p.m. with the following motion.

Motion: Vice Chairman Shambaugh made a motion to give the Township Secretary a bonus of \$1,289.61 in addition to her base salary for 2008. **Seconded** by Chairman Lerew. The motion carried unanimously.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary