

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
June 8, 2009**

CALL TO ORDER

The meeting was called to order at 7:03 p.m.

ROLL CALL

Present were Supervisors Donald Lerew, John Shambaugh, 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.

PLEDGE OF ALLEGIANCE AND PRAYER

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

BID OPENING – STONE & OIL

The bidders are as follows:

The bid for the CRS-2 oil at a quantity of 26,500 gallons total more or less is as follows:

<u>Bidder</u>	<u>Price per Gallon</u>	<u>Total Price</u>
Wilson Paving	\$2.04	\$54,060.00

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>
York Building Products	2A	\$4.75	\$10.25
	#4	\$8.25	\$13.75
	#3-A	\$5.00	\$10.50
	#3 Clean	\$8.25	\$13.75
	#57	\$8.25	\$13.75
	#8 Washed	\$9.25	\$14.75
	#9	\$9.25	\$14.75
	#10	\$8.25	\$13.75
	R-4 Rip Rap	\$12.00	\$18.50
	R-5 Rip Rap	\$13.00	\$20.50

There is also an additional charge for jobs requiring more than ½ hour on the site of a charge of \$72.00/hr.

Pennsy Supply	2A	\$6.25	\$10.06
	#4	\$8.15	\$11.96
	#3-A	No Bid	
	#3 Clean	No Bid	
	#57	\$8.30	\$12.11

#8 Washed	\$10.20	\$14.01
#9	No Bid	
#10	\$9.65	\$13.46
R-4 Rip Rap	\$11.50	\$15.31
R-5 Rip Rap	\$13.00	\$19.81

This is also an allowed time of 25 minutes to unload and after the allowed time there will be a charge of \$62.00/hr.

Solicitor MacNeal was given the documents to review.

Motion: Vice Chairman Shambaugh made a motion to award the stone bid of #3A, #3 Clean and #9 to York Building Products and to award the stone bid of #2A, #4, #57, #8 Washed, #10, R-4 Rip Rap and R-5 Rip Rap to Pennsy Supply. **Seconded** by Chairman Lerew. The motion carried unanimously.

Motion: Supervisor Brown made a motion to award the CRS-2 Oil bid to Wilson Paving at the bid price of \$54,060.00. **Seconded** by Supervisor Campbell. The motion carried unanimously.

APPROVAL OF MINUTES

Motion: Vice Chairman Shambaugh made a motion to approve the minutes of May 11, 2009 as submitted. **Seconded** by Supervisor Campbell. The motion carried unanimously.

APPROVAL & PAYMENT OF BILLS

There was discussion on the remaining \$2,900.00 to Lobar which is not being paid at this time. Engineer Knoebel suggested that there is some touch up work that needs to be performed and once that is done then the remaining \$2,900.00 can be paid.

Motion: Vice Chairman Shambaugh made a motion to approve the bill list as submitted. **Seconded** by Chairman Lerew. The motion carried unanimously.

TREASURER’S REPORT

Supervisor Campbell questioned the total for funds and that it includes funds of tax revenues and operational accounts.. Mrs. Phyllis Emlet, Treasurer noted that she had prepared a spread sheet that has budget figures for the last 5 years and also shows income, expenditures, revenues and Liquid Fuels monies.

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

1. Support for Quick Books

Mrs. Emlet reviewed the proposal she received from Inspire Technologies regarding support for Quick Books. Hourly support is \$75.00 per hour and that is what she suggests. Supervisor Campbell asked about the remote desktop support and if the Township would need to purchase software. Supervisor Campbell noted that having local support is good to have. Supervisor Campbell noted that this cost is not out of line.

Motion: Supervisor Campbell made a motion to authorize the support for Quick Books from Inspire for 2009 and that the Township may re-bid at the end of the year. **Seconded** by Supervisor Brown. The motion carried unanimously.

Mrs. Emlet also noted that she put a packet of grant information together for the Supervisors for their review.

ORGANIZATION REPORTS

Police – Chairman Lerew noted that the police report has not been received. The Township has received money from the State Police for fines and penalties in the amount of \$2,952.06.

Fire – Tony Baker from Citizens Hose Co. 1 presented his report. For the month of May there was 1 call in Franklin Township with a total of 35 calls for the month and 157 calls year to date. There were 3 failed calls during the month of May. The call in Franklin Township was for a motor vehicle accident at the intersection of Route 15 and Glenwood Road. From the 2008 federal grant the fire company received \$78,000.00+. With the grant 15 new MSA air paks and spare cylinders were purchased. MSA has a good accountability system. The fire company did have to pay 5% of the grant awarded. The financial obligation was a little over \$5,000.00. A request from the 2009 federal grant for \$90,000.00 was made. The grant was requested for a Polyvent System which ventilates the apparatus bays from the diesel fuels, a back-up generator and fire alarm for the building.

Mike Whitzer from Franklinton Fire Company presented his report. There were 9 calls during the month of May in Franklin Township with a breakdown of 2 motor vehicle accidents, 6 medical assistance, and 1 miscellaneous fire. In April there was hose and ladder testing done. There is over 9,000' of hose with 350' that failed and 5 ladders were inspected. One ladder failed due to a crack in the rung but did pass the structural test. Pump testing is to be done soon and truck training with Citizens Hose was done. June 14 is the company's roast beef dinner at a cost of \$8.00 which runs from 11am until 1pm. The boxes were discussed with the Township's EMA and are ready to be discussed with the Supervisors at a work session any day but Mondays'. It was noted this would take a half hour to 45 minutes, but no longer than an hour.

EMS - There was no report given at this time.

DAA - There was no report given at this time.

Emergency Management – Mr. Yerger noted there was a meeting with Franklinton Fire Company last Wednesday evening with regards to the box system which was discussed and that Wilbur Stough did a good job. There was discussion on the pandemic training and he will be forwarding documents to the Township tomorrow for the Supervisors to review. The pandemic plan needs to be reviewed and to sign off on it.

NYCRCP Transportation – Supervisor Brown noted that the next meeting will be held on June 24 at the Carroll Township Building beginning at 1pm. The survey for transportation along Route 15 is out and information has been posted on the Township's cable channel and will be posted on the website also. Supervisor Brown spoke about the safe driving campaign and noted that Carroll Township is to pass theirs tonight. There are two different messages depending on the production cost. The messages are "Drive safe on 15, can you afford the ticket" and "can you live with consequences". It was noted that maybe 4 billboards could be placed along Rt. 15. Supervisor Campbell noted that with the saying regards consequences the picture should be different. Instead of a police vehicle it could be a vehicle that was in an accident. It was noted that this needs to make production for the July campaign.

Ad-Hoc Committee – Supervisor Brown noted that the Supervisors met with the Planning Commission members last week to review the draft SALDO and address comments. The Township is now ready to start the review period. Engineer Knoebel noted that there are 3 additional pages he submitted today which are updates from after the Planning Commission meeting. They address the rewording for construction and improvements, modification of the completeness review checklist, and there is now a modification/waiver form. Supervisor Brown noted that this needs to be forwarded to the YCPC which will be reviewed at their July 7 meeting. The ordinance could possibly be adopted at the August Supervisors meeting. Solicitor MacNeal noted that this does need to be sent to YCPC and the Township’s Planning Commission for a formal review.

Motion: Vice Chairman Shambaugh made a motion to forward the draft SALDO to the Township Planning Commission and the YCPC for review and comment. **Seconded** by Supervisor Campbell. The motion carried unanimously. Solicitor MacNeal indicated that the public hearing date could be set for the August 10 Supervisors meeting.

Motion: Supervisor Brown made a motion to set the public hearing on the SALDO revisions for August 10, 2009 beginning at 6:30 p.m. **Seconded** by Chairman Lerew. The motion carried unanimously.

Building Committee - Mr. Yerger noted that a meeting was held June 1 after the Planning Commission meeting and the Supervisors will look at some fiscal concerns they have. It was noted that 5,000 s.f. is what is being planned. Supervisor Campbell thanked Mr. Yerger for his work.

SUBDIVISION AND LAND DEVELOPMENT

There is nothing under Subdivision and Land Development at this time since the SALDO was discussed earlier.

REPORTS

Engineer

1. Michael Sunday – Release of Escrow Funds

Engineer Knoebel reviewed his letter dated June 4, 2009. Mr. Sunday had requested the release of escrow funds for improvements to his revised land development plan. KPI did an inspection of the site improvements and the records show that the Township is still holding \$7,500.00 in escrow. KPI noted that the Township could release the money but a maintenance surety is usually held for 18-months which would be until August 2009. Solicitor MacNeal noted there was a letter from DEP last year regarding this property and she is waiting for a response from DEP regarding the ash. The Supervisors have the option to delay the release of these funds. It was suggested that the Secretary write a letter to Mr. Sunday noting that the Supervisors are reviewing his request.

2. Kings Kids Camp

Engineer Knoebel noted since the last meeting comments have been received from YCCD noting the deficiencies. No plans have been submitted but the Township will receive a copy once a plan is done. Vice Chairman Shambaugh noted that a land development should be requested which would combine all of the issues onto one plan. It was noted that if work is stilling being done the Township should issue a cease and desist letter. It was also noted that a letter should be sent requesting the plan.

Solicitor

1. Dillsburg Soccer Agreement

Solicitor MacNeal noted that there are no updates at this time. The soccer club is going back and working with KPI, but this will be moving ahead.

2. Junkyard Ordinance

Solicitor MacNeal indicated that she has drafted the junkyard ordinance and this will be discussed next month.

3. Kennel Ordinance

Solicitor MacNeal indicated this is not done at this time but will have a draft at next month's meeting.

4. Floodplain Ordinance

Solicitor MacNeal noted that the floodplain ordinance is time sensitive. The Supervisors did review this ordinance at their last meeting. Solicitor MacNeal asked for authorization to forward this ordinance onto for formal review. A public hearing will be needed which can be done at either the July or August meeting. This ordinance will go into the zoning ordinance.

Motion: Vice Chairman Shambaugh made a motion to authorize the Solicitor to send the floodplain ordinance for review. **Seconded** by Supervisor Campbell. The motion carried unanimously.

Vice Chairman Shambaugh noted that in the DAA minutes there was discussion regarding the Franklin Township development groups. Vice Chairman Shambaugh noted that he is upset with the DAA Solicitor as he also represents PSATS and he feels this is a conflict of interest. Vice Chairman Shambaugh noted that he will be sending a letter to PSATS. After discussion it was decided that a letter would go to PSATS from the Board of Supervisors. Solicitor MacNeal will draft the letter and Chairman Lerew will sign it.

Motion: Vice Chairman Shambaugh made a motion to send a letter of concern to PSATS. **Seconded** by Supervisor Campbell. The motion carried unanimously.

Building Permit & Zoning Officer

Mr. Fahey gave his report as follows:

1. Kings Kids Camp – Ms. Crum from YCCD is working on this project and has requested help from the Army Corps of Engineers and this has been deferred to DEP with Chapter 105 clear streams law. There is no work being done at this time. Underground activities were also discussed.

2. Harry Fox Issue

Mr. Fahey questioned the Harry Fox property. It was noted that a letter was sent a month ago from Solicitor MacNeal and she is continuing to watch the process of this property.

3. WalMar Manor

There were issues at 60 and 62 WalMar Manor. The issue at #60 has been addressed. At #62 a large shed has been erected which violates setbacks. This is under review.

4. Page Shumaker, 1142 S. Mountain Road

There is an issue with this property and Ms. Crum from YCCD did an on-site inspection and is preparing a report that Mr. Shumaker needs to follow. Ms. Crum is also requiring that a land use/storm water erosion management plan be done.

5. Stonehead Development

It was noted that Engineer Knoebel met with the contractor and a report will be issued regarding the work being done and the road damage. The road damage will be repaired by the contractor. There was approval from YCCD with the dirt. There is erosion at the bridge and there will be replacement of the culvert pipe within a month to a month and a half.

6. Kensington East

Mr. Fahey noted that a culvert pipe was washed out at 25-30' on the right-of-way and is in a ditch.

7. Cabin Hollow Road

The meat processing plant is in violation of filling in swampy ground with millings, dirt and construction debris. An inspection was done with YCCD.

8. Sinkhole

YCCD is aware of the sinkhole in Sherwood Forest. This was discussed and it was noted that since this is on the property owner's land the Township cannot do anything about it.

Mr. Fahey questioned an amusement license regarding to the paintball business on Capitol Hill Road. It was noted that this is not a Township issue and there have been no complaints regarding this business.

9. Hess Farm

Mr. Fahey discussed the issue of the Hess chicken farm on Ridge Drive. There are rotting chickens lying about which are being carried away and deposited on residential properties. The Department of Agricultural has been out to inspect the farm and found no problem with it. A resident of Ridge Drive, was also present to give his accounts of the dead chicken in his yard. A copy of the inspector's report was sent to the Township. It was suggested that if there are any more problems that Mr. Fahey should get back to the Department of Agricultural and have them do more unannounced inspections without notifying the property owner first. Supervisor Campbell suggested that Mr. Fahey keep visiting the site and document everything. It was also noted that Mr. Hess has been operating his chicken farm long before the homes were built.

Road master

1. Speed Limit Sign, Correspondence from Mr. & Mrs. Zeger

Correspondence was received from Mr. & Mrs. Zeger who live on S. Cherry Lane and are requesting a speed limit sign be installed. It was suggested that the police be contacted and have them look at this road. Supervisor Campbell suggested that an advisory sign be post. A letter should be written to the NYRPD and have them respond in writing.

The road master's report was submitted and is on file at the Township office.

2. Quotes for Crack Sealing

Quotes have been received for crack sealing of roads. The road master noted that he would like to start a program for road like Capitol Hill Road and Range End Road and this was done years ago. These quotes were requested from local vendors. This is PennDOT approved and the Township can use Liquid Fuels. The quotes were reviewed and discussed.

Motion: Vice Chairman Shambaugh made a motion to approve the quote from Stewart and Tate at a price of \$9,240.00. **Seconded** by Supervisor Campbell. It was questioned that the one quote indicated they would do traffic control but Stewart and Tate does not. It was noted that the Township may have to do the traffic control but this would be no problem. The motion carried unanimously.

Parks & Recreation

1. 200th Anniversary Update

It was noted that Mrs. Novesal was not present to give an update.

OLD BUSINESS

There was discussion regarding e-mail addresses and record retention and what vendors are available. The Secretary is to contact PA.Net.

NEW BUSINESS

1. Approval of Training Seminar, Document Retention Right to Know Open Records Law

Motion: Vice Chairman Shambaugh made a motion to allow any staff and Supervisors to attend this seminar. **Seconded** by Supervisor Campbell. The motion carried unanimously.

Vice Chairman Shambaugh noted that there are 2 training seminars he would like to attend which are as follows: Essentials in Police Operations which will be held in State College and Act 32 Earned Income Tax which will be held in Somerset. He also indicated that he recently was at a seminar at PSATS on Leadership which was an excellent seminar.

Motion: Supervisor Brown made a motion to allow any Supervisor to attend the Police and Earned Income Tax seminars. **Seconded** by Supervisor Campbell. The motion carried unanimously.

Supervisor Brown gave a review of the training he attend this pass Saturday regarding volunteer fire and emergency service and local government. Some of the statistics are as follows:

PA Volunteer Fire Companies:

2,354 volunteer fire companies;

72,000 active volunteer firefighters (300,000 in 1976)

\$6 Billion annual estimated value of PA volunteer emergency services (PA population 12.5 million - \$500. per person)

Volunteer fire companies major challenges: insufficient manpower, daytime response suffers; insufficient funds; and loss of support groups (auxiliaries)

Today's PA Volunteer Fire Companies (VFC):

All are private non-profit corporations (none are self sufficient)

Training is driven by insurance industry

Business side of VFC is the weakest portion

Only \$115 million/yr state financial aid (potential aid for recognized partnerships)

Any additional support falls to local governments

All are very good at their technical functions

Local Government:

Must provide worker's compensation (host municipality – pays premium-other municipalities must pay their prorated share; must approve fire police activities prior to event)

Must officially recognize VFC's

Township provides foreign fire insurance premiums (2%) to the volunteer firefighter relief associations (not part of budget – both as asset and liability)

Not required to fund VFC's

House Bill 1131 (2008) Township shall: be responsible for ensuring fire and emergency medical services; consult with fire and emergency medical services; and require any emergency services provide an annual itemized listing of all expenditures of these funds.

This is a major change that occurred in 2008.

What Does this Mean:

FT needs to provide adequate support for our VFC's in order to avoid the much more costly option of paid (career) companies

We need to develop partnerships to keep our costs reasonable (does not necessarily mean consolidation of fire companies; does not necessarily mean eliminating fire houses; and does mean we need to begin dialogue)

FT costs for VFC's are very likely to increase

It was noted that a fire house is needed on this side of Route 15.

CORRESPONDENCE

1. York Adams Tax Bureau, Voting Delegate to Tax Collection Committee

The purpose is for every taxing authority in York and Adams Counties to appoint a voting delegate to their respective tax collection committee as directed in Act 32. Solicitor MacNeal indicated that this is the first step regarding the coordination of the earned income tax. As noted in the letter there is a Resolution that needs to be passed indicating who the delegate is. This information needs to be received by September 15. It was noted that this will be discussed at next month's meeting.

PUBLIC COMMENT

The subject of getting new tax maps was brought up. The Secretary indicated that she had contacted the Tax Mapping office at the courthouse and was given the cost of obtaining the maps. It was noted that the maps are on a disc and are available with prior notification. The cost is \$1.00 for the CD, \$3.00 processing fee and \$2.00 per map – there are 13 maps. Vice Chairman Shambaugh suggested spending \$4.00 for the CD and the processing fee. Engineer Knoebel noted that his firm could make copies of the maps from the CD.

EXECUTIVE SESSION

Solicitor MacNeal noted that she would like an executive session with no action to be taken.

ADJOURNMENT

Motion: Vice Chairman Shambaugh made a motion to adjourn the meeting at 9:22 p.m. **Seconded** by Supervisor Campbell. The motion carried unanimously.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary