

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
July 13, 2009**

CALL TO ORDER

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

ROLL CALL

Present were Supervisors Donald Lerew, John Shambaugh, Edward Campbell, and Gary Brown. Also present were Solicitor Stacey MacNeal, and Acting Engineer Michael Begis. 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.

APPROVAL OF MINUTES

Motion: Vice Chairman Shambaugh made a motion to approve the minutes of June 8, 2009 as submitted. **Seconded** by Supervisor Campbell. Solicitor MacNeal noted that on page 8 under Executive Session it should be noted that it was for discussion on litigation. Vice Chairman Shambaugh amended his motion to include the amendment from Solicitor MacNeal. Supervisor Campbell seconded the amended motion. The motion carried unanimously.

APPROVAL & PAYMENT OF BILLS

Supervisor Brown questioned the cost of the extra copies being charge with the copier. It was noted that it comes out to 1.1¢ per copy and this is a quarterly charge.

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

1. Quick Books Update

Mrs. Emlet gave a Quick Books update and noted that she had met with Inspire Technologies and it was a great help in correcting some problems and also gave her some helpful hints on how to do some activities more efficiently. Supervisor Campbell noted that there was discussion previously on updating the software and the expense. It was noted that this was discussed a few months ago.

2. Revenues

The revenues for the past 6 months were reviewed and discussed.

3. Members 1st Federal Credit Union

Mrs. Emlet noted that there are 2 letters that need to be sent to Members 1st FCU. The one letter that has been prepared names Mrs. Emlet, Chairman Lerew, Vice Chairman Shambaugh, and Secretary Zentmeyer regarding who is eligible to represent the Township for banking activities. Members 1st FCU is also requesting that the Township becomes a member which would then allow all employees to be members. There is no cost for this.

Motion: Vice Chairman Shambaugh made a motion for the Township to join Members 1st Federal Credit Union. **Seconded** by Chairman Lerew. The motion carried.

4. Recycling Grants

Mrs. Emlet noted that she has researched information on recycling grants under Section 902 of Act 101 and that she had spoken to the Adams County Mission regarding our recycling center and it was noted that they do not keep track of the tonnage. Mrs. Emlet has contacted Mauell Corp., the school district, Joseph's Machine Shop and Waste Management and they are willing to give us numbers of their recycling. It was noted that Ms. Kim Sebastian, coordinator of our recycling center, was also contacted but the center uses all different size boxes and it would be difficult to calculate.

Mrs. Emlet also has prepared 2 spreadsheets. The first one lists some potential needs and information. The second one gives information on grants which the Township may be interested in.

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

Vice Chairman Shambaugh suggested that Mrs. Emlet call the other municipalities in the area to see what information they can give us regarding recycling.

Motion: Vice Chairman Shambaugh made a motion to sign for the financial transactions at Members 1st Federal Credit Union. **Seconded** by Supervisor Brown. The motion carried.

ORGANIZATION REPORTS

Police – Chairman Lerew noted that the Township received the auditor's report from NYRPD and it will be on file at the Township office. Vice Chairman Shambaugh noted a regional police study was done and the results have been pasted out to the Supervisors. Vice Chairman Shambaugh asked that the Supervisors review this and if there are any questions this will be addressed at a later date. It was noted that the next meeting will be August 26 beginning at 2:00 p.m.

Fire - Tony Baker from Citizens Hose gave his report as follows: there were 3 calls in Franklin Township for the month of June which brings it up to a total of 19 for the year. As of July 1 they started using the new alpha pages and the new radios will be coming shortly.

Mike Whitzel from Franklinton Fire Company gave his report as follows: for the months of May and June there were 16 calls in Franklin Township. Mr. Whitzel also reviewed the 6-month training report. During the month of August there will be a ham dinner on the 9th, there will be pump training with York Springs, and the notice for the fund drive will be going out. It was also noted that a date needs to be set for a meeting between the Supervisors and the fire company. The meeting will take approximately one hour. The date of July 22 at 7p.m. was set.

EMS - There was no report given at this time.

DAA - There was no report given at this time.

Emergency Management – Robert Yerger presented information as follows: e-mails that have been sent he wanted to make sure the Supervisors were getting copies. The issue with the pandemic was discussed. Mr. Yerger noted that after the last meeting he did give copies regarding the pandemic emergency plan and asked if there were any comments and if the Township wants to do a Resolution. It was noted that this will be discussed at next month's meeting. There will be an emergency task force meeting in September.

Vice Chairman Shambaugh questioned the e-mail that was received regarding a Scout Troop 203 being allowed to participate with the EMA. It was suggested that Solicitor MacNeal review this because of the possibility of a liability problem.

NYCRCP Transportation – Supervisor Brown noted that last meeting was held on June 24 and the contractor, Gannett-Fleming reviewed the work that has been done with the data they collected. A draft of the final report is forthcoming. They are also doing analysis and were asked to look into the impact of special events. The people from Adams County noted the impact of the 150th Anniversary of the Gettysburg Battle. The next meeting will be held in November. A kick off safety program regarding Route 15 is scheduled for July 21 beginning at 11:30 a.m. There is an electronic sign by Arby's, a sign by Wolf's Diner and 2 signs in Adams County before entering into Franklin Township. There will be 3 different time periods the police departments will be on Route 15. Chairman Lerew questioned if NYRPD will be participating.

Building Committee - Mr. Yerger presented the following: with the numbers he had supplied to the Supervisors the lower numbers are similar to a pole building and the larger numbers would not be a pole building. It was noted that there are 4 times the difference in the prices. The room for the emergency management was discussed along with the scope of work, if the numbers are worthy, the architects, and the bidding process.

SUBDIVISION AND LAND DEVELOPMENT

1. Heikes Plan

There were questions regarding the Heikes plan. Engineer Begis noted that this 2-lot subdivision is still waiting for DEP on the planning module and this should be coming before the board next month.

2. Franklinton Borough Municipal Authority

Supervisor Campbell questioned the correspondence received from Franklinton Borough Municipal Authority. Engineer Begis noted this is for the additional well to feed another development in the Borough. There was discussion as to whether an agreement is needed and this was then referred to Solicitor MacNeal. Engineer Begis stated that there is certain testing that is required from DEP. There was concern if this new well would be taking water away from Township residents.

REPORTS

Engineer

1. Ponderosa Park Payment Request

Engineer Begis noted that correspondence was received for Requisition No. 4 which is in the amount of \$2,900.00. The Township had previously retained this amount until such time that final vegetative stabilization has taken place. The Conservation District will be inspecting this tomorrow. KPI recommends the Supervisors authorize final payment to the contractor for Requisition No. 4 in the amount of \$2,900.00 pending receipt of a satisfactory final inspection report from YCCD.

Motion: Vice Chairman Shambaugh made a motion to authorize the final payment to the contractor for Requisition No. 4 in the amount of \$2,900.00 pending receipt of a satisfactory final inspection report from YCCD. **Seconded** by Chairman Lerew. The motion carried.

Solicitor

1. Dillsburg Soccer Agreement

Solicitor MacNeal noted that the Township is still waiting on the sketch plan.

2. Junkyard Ordinance

Solicitor MacNeal noted that last month the proposed new ordinance was given which is also a short amendment to the zoning ordinance which is working together. It was asked if the Supervisors looked at the first draft and if there were any questions or concerns. Vice Chairman Shambaugh noted that this should move ahead. Solicitor MacNeal indicated that this could either be tabled until next month or authorize to advertise.

Motion: Supervisor Brown made a motion to authorize the advertisement of the junkyard ordinance. **Seconded** by Supervisor Campbell. The motion carried.

3. Kennel Ordinance

Solicitor MacNeal noted that with talking about the draft ordinance the Township would repeal the existing kennel ordinance but add the kennel into the zoning ordinance. Some of the special criteria for kennels are as follows: 5 acres minimum, setback requirements, animal control, the prevention of animals escaping, disposal of animal waste, nuisance control, and providing creditable evidence. Solicitor MacNeal indicated that the definition is standard in other municipalities' ordinance. There was discussion on a kennel being for profit and a commercial operation. Vice Chairman Shambaugh questioned if the word "sold" should be in the definition. It was noted that copies of this ordinance along with the draft SALDO be sent to the surrounding municipalities as a courtesy in the spirit of cooperation. Solicitor MacNeal is to prepare a draft letter to for the motion to advertise both.

4. Floodplain Ordinance Update and Fees

There was discussion on the revised UCC and with the fees as most of the time it would be KPI and a 1 hour recommended flat rate. Solicitor MacNeal was requested to prepare a Resolution with blank or proposed with KPI's rate.

5. Rowbottom Driveway Permit

There was discussion on the driveway enforcement action.

6. Kings Kids Camp

This issue was tabled until the next Supervisors meeting.

7. Michael Sunday Property

This issue was tabled until the next Supervisors meeting.

Building Permit & Zoning Officer

1. Kings Kids Camp

The YCCD is elevating this issue with the State because the Camp has failed to comply with the CO's request/plan to stabilize the site. There was discussion on the electric through the campground. It was noted that Building Inspector Bob Shelly could do an on spot inspection.

2. 62 Walmar Manor

The site has a large outbuilding which was never permitted and violates UCC distance standards and zoning setbacks. There was discussion on an oral agreement to remove the un-permitted outbuilding and a letter is needed to confirm this with the owner and the mobile home park.

3. Bridge at Ponderosa Park

It was noted that a general permit would be needed for the bridge at the park.

4. 413 Franklin Church Road

A complaint was received regarding the property at 413 Franklin Church Road as this property is operating as a business. This needs to be pursued.

5. 111 Walmar Manor

The owner of this lot does not want the UCC to apply to him for his porches/deck as there were questions regarding the UCC and the interpretation. It was suggested that the owner meet with Bob Shelly prior to an appeal to the Board. It was noted that the deck is not over 30" high. There was discussion if it needed footers or to be inspected. Also discussed was the policy if this against the home or not. Mr. Fahey was directed to send to the owner a copy of the appeal procedures.

6. Tax Map

It was noted that Engineer Knoebel will be getting copies for the Township.

7. E-Mail Addresses

E-mail addresses for employees will be discussed with the Secretary next month.

8. BCO 108, Applying the International Fire Code Under the UCC – the Correct Way

Motion: Supervisor Campbell made a motion to approve Mr. Fahey to attend this seminar at a cost of \$65.00. **Seconded** by Supervisor Brown. The motion carried.

9. Rowbottom

It was noted that there is another violation and there was discussion on an apology letter. There was discussion if this should be discussed with the Judge.

10. Paige Shumaker

It was noted that Mr. Shumaker is working on this and the storm water management issue is being taken care of.

11. Cabin Hollow Butcher Shop

It was noted that this is still an open issue but the County has placed it on the back burner as it is a minor issue. The plant owner has stopped what was requested of him.

12. New Issues

Mr. Fahey indicated there are 2 junkyard violations and 2 illegal construction projects which are in the process of being taken care of.

Road master

1. East Greenhouse Road

There is a problem with a property on East Greenhouse Road with a rotted / collapsed under road tube. The property is located at the Carroll and Franklin Township line. Road master Ocker has received a quote from Chemung Supply for an 15" and 18" pipe and bands. It was noted that there is a 25' drainage easement. The pipe is tied to the inlet and runs a short distance. The pipe has deteriorated and water is coming into the property owner's yard. The Township is to correspond with Carroll Township as this needs to be a joint venture.

2. Chain Saw Road

It was noted that there is a discharge to the surface of the street and the Township is working on a resolution.

Parks & Recreation

1. 200th Anniversary Update

Ms. Geri Novesal gave the Supervisors an update on the progress of the 200th anniversary. She is working with the Wellsville 4H Club for pony rides, caricature drawings, and she is still soliciting businesses. Ms. Novesal presented the artwork to the Supervisors and they selected a drawing. The drawing does need to be revised. It was also noted the approving of the booklet with the artwork on the front.

OLD BUSINESS

There was no old business discussed at this time.

NEW BUSINESS

1. CDL Records Management Seminar

Motion: Vice Chairman Shambaugh made a motion to approve the Secretary and Road master to attend the CDL Records Management Seminar at a cost of \$50.00 each. **Seconded** by Supervisor Campbell. The motion carried.

CORRESPONDENCE

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

Motion: Chairman Lerew made a motion to appoint Vice Chairman Shambaugh as the delegate and Supervisor Campbell as the alternate. **Seconded** by Supervisor Brown. The motion carried.

2. Gary & Kathy Fanus, Rocky Ridge Road

Correspondence had been received from Mr. & Mrs. Fanus regarding drainage issues and speeding on Rocky Ridge Road. It was noted that there is a swale going through their property and it was noted that they would like the ditch to be removed. Vice Chairman Shambaugh and Road master Ocker will review this with the property owner and prepare a sketch. This was discussed with no action taken.

PUBLIC COMMENT

There was no public comment at this time.

EXECUTIVE SESSION

The Supervisors went into executive session to discuss litigation with no action to be taken.

ADJOURNMENT

Motion: Vice Chairman Shambaugh made a motion to adjourn the meeting. **Seconded** by Supervisor Campbell. The motion carried.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary