

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
July 10, 2013**

ROLL CALL

Present were Supervisors Donald Lerew, John Shambaugh, Edward Campbell, John Holder and Naomi Decker. Also present were Solicitor Stacey MacNeal, Zoning Officer Dominic Picarelli and Secretary Nancy Zentmeyer. The meeting was held at the Franklin Township Municipal Building, 150 Century Lane, Dillsburg, York County, PA. Guests and visitors are on the attached sign-in sheet.

CONDITIONAL USE HEARING – CHRISTOPHER BRADLEY

The conditional use hearing opened at 6:30 p.m. with Supervisors Lerew, Shambaugh and Decker present.

Zoning Officer Dominic Picarelli and Mr. & Mrs. Bradley were sworn-in. The property was posted on June 25, 2013 and was advertised on June 27, 2013 and July 4, 2013. Mr. Bradley is proposing to construct a 672 s.f. detached garage in the Residential zoning district at 153 Twin Hills Road. Half of the garage would be used for storage and the other half will be used as a wood shop. Vice Chairman Shambaugh asked if he would comply with the stormwater management requirements and Mr. Bradley noted that this will be done. There were no questions from the audience

Motion: Vice Chairman Shambaugh made a motion to approve the conditional use for Mr. Bradley.
Seconded by Supervisor Decker. The motion carried.

Motion: Supervisor Decker made a motion to close the hearing at 6:35 p.m. **Seconded** by Vice Chairman Shambaugh. The motion carried.

The regular meeting was called to order at 7:01 p.m. with all Supervisors present.

PLEDGE OF ALLEGIANCE AND PRAYER

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

APPROVAL OF MINUTES

Board of Supervisors Workshop Meeting – May 16, 2013

Motion: Vice Chairman Shambaugh made a motion to approve the minutes of May 16, 2013. **Seconded** by Supervisor Campbell. Supervisor Decker noted that there were a few changes. The motion carried.

1. Board of Supervisors Regular Meeting – June 12, 2013

Motion: Vice Chairman Shambaugh made a motion to approve the minutes of the June 12, 2013 meeting. **Seconded** by Supervisor Campbell. It was noted that there were a few changes and under Reports from the engineer comments were added regarding John Haines and the engineer working with him on his stormwater plan. The motion carried.

PUBLIC COMMENT

1. Al Smith, Clear View Road

Mr. Smith produced a 3 minute audio of dirt bikes and ATV's using the dirt track at his adjoining neighbor's property. At this time The Leitzel's were videotaping his discussion with the Supervisors. Mr. Smith noted that this audio was recorded last night and indicated that there were 3 motocross bikes running between the hours of 8am and 9pm. Mr. Smith then read a statement regarding the hearing with giving the Leitzel's conditions on riding etc.

2. Mike Ryan, Lost Hollow Road

Mike Ryan, Lost Hollow Road noted that the township or Solicitor is not negligent in any way. In his business he runs a wood chipper every day.

3. Mrs. Leitzel, Clear View Road

Mrs. Leitzel stated that they are being harassed and videotaped every time they go outside. It was also noted that she has spent almost \$5,000.00 and has received zoning approval for a fence and has planted trees. YCCD has also visited the property.

4. Rick Hoffman, Century Lane

Rick Hoffman asked if the ATV ordinance that the Supervisors were given last month will move forward. It was noted that it will not.

APPROVAL AND PAYMENT OF BILLS

Motion: Vice Chairman Shambaugh made a motion to approve the payment of the bills as listed. **Seconded** by Chairman Lerew. Supervisor Decker stated that last month the Treasurer was directed to hold on to the ZHB Solicitor's check. It was noted that this needs to be paid even though the Supervisors do not agree with the cost. Vice Chairman Shambaugh will contact Mr. Beneventano but this needs to be paid. The fire company donations are on again. Mrs. Shoffner questioned the Supervisors on where to pull the funds with regards to the recreation. It was suggested to check the Second Class Township Code Book. Supervisor Decker directed Mr. Picarelli that with the general zoning there needs to be more of a breakdown. Supervisor Holder questioned if the plan reviews are being reimbursed and Mrs. Shoffner noted that she does talk with Engineer Knoebel. Supervisor Decker asked if the zoning bills are being reimbursed. The motion carried.

TREASURER'S REPORT

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

1. Increase in Pay

Motion: Vice Chairman Shambaugh made a motion to increase the Treasurer's pay as per the employment agreement at the 6 month anniversary date. **Seconded** by Chairman Lerew. The motion carried.

Supervisor Campbell asked Mrs. Shoffner with the profit and loss if she could forecast for the end of the year based on trends.

ORGANIZATION REPORTS

Police – Supervisor Campbell noted overall the calls to the police are up.

Fire – Chief Whitzel from Franklinton Fire Company gave his report with 10 calls in Franklin Township during the month of June. There has been \$750,000.00 worth of fire damage but none of it was in the township. So far there has been 537 hours of training so far this year. With regards to training for the new fire engine, Title 35 exempts fire companies from the CDL license, but in order to drive a fire engine that person will have to be qualified. It was suggested from the audience that the township should have a copy of the drivers licenses and that there be a MVR check to find out if there are any DUI's violations, suspensions etc. It was noted that the local representative for the insurance company that handled the workers compensation insurance was not renewing their policy but Franklinton Borough did get another policy in place with no lapse in the workers compensation.

There was a report from Citizens Hose Company #1. There were 6 calls in Franklin Township during the month of June. There has been training for both the firefighters and fire police.

EMS – A report was submitted noting there were 30 calls during the month of June in Franklin Township. The ambulance should be back in service by mid-August.

Chief Whitzel informed the Supervisors of the property at 206 Clear Springs Road and the DEP report that was issued. It was noted that this property needs to be watched as the sewer was going into the creek. Chief Whitzel stated that the Highland Park development was going to give the fire company a \$1,000.00 a year donation but has not received this. It was asked if a letter could be sent to them. It was noted that this will not be done.

DAA –The minutes were received. It was noted that with Highland Park there is an issue regarding the misplaced water main that is still unresolved.

Emergency Management – There was nothing to report at this time.

NYCRCP Transportation – The meeting with PennDOT has not been scheduled yet.

SUBDIVISION AND LAND DEVELOPMENT

1. Remcon, Inc. Final Land Development Plan, File #2013-02-11 – Time Extension

The applicant is requesting a time extension until September 13, 2013 so the comments from the York County Conservation District can be addressed. No revised plan has been submitted yet.

Motion: Vice Chairman Shambaugh made a motion to accept the time extension for the Remcon, Inc. Final Land Development Plan until September 13, 2013. **Seconded** by Chairman Lerew. The motion carried.

REPORTS

Engineer

There was nothing to report at this time.

Zoning Officer

A copy of the zoning officer's report had been submitted.

1. David Young Appeal

Mr. Picarelli noted that the appeal on his zoning determination for the run-in building will be held on July 15, 2013. Solicitor MacNeal asked if the Supervisors wanted her to attend the hearing and it was noted that she does not need to attend. Supervisor Decker stated that she wants to see the section(s) of the ordinance in his zoning review letters.

Solicitor

Solicitor MacNeal noted that she is helping the Treasurer with the accounts receivables for the non-paid invoices.

1. Daniel Albert

There was discussion regarding the invoice Mr. Albert received for \$438.00 for the stormwater management plan review. On May 14, 2012 KPI did a final comment letter of the property but the stormwater facilities were never constructed. Solicitor MacNeal was directed to send a letter indicating that this needs to be done. It was suggested that Bob Shelly should check on the occupancy.

2. Franklin Glen

It was noted that KPI has spoken with the homeowners' association and there is a contract but they need approval on the work to be done in writing from KPI as they are ready to start work.

Solicitor MacNeal noted the confidential memorandum that was given to each Supervisor.

3. Executive Session

Supervisor Decker stated that she needs an executive session to discuss personnel.

BCO

It was noted that the issuance of applications and permits are running smoothly as the office staff is working with Bob Shelly and have discussed the procedures.

1. Checks Directly to RAS Engineering

It was noted that the Supervisors need to review and discuss this later at the budget meetings.

2. Authorize Office Staff to Issue Non-UCC Building Permits

The Supervisors will review this with no action taken at this time.

Road master

A report was submitted by the roadmaster.

1. Stormwater Issue – 12 E. Greenhouse Road

This issue was brought before the Supervisors last year and the property owners and neighbor have signed the indemnification and release forms to have the work done by the township. The road crew was directed to do the work.

2. Paving Bids

The paving project bids will be opened at the workshop meeting to be held on July 18, 2013.

Park & Recreation

1. Proposal for Professional Survey Services

The township received a proposal for surveying the Twin Hills recreation areas from Todd Lyons at a cost of \$1,600.00. This is for 2 tracts totaling 5+ acres.

Motion: Vice Chairman Shambaugh made a motion to approve the proposal for surveying Twin Hills recreation areas conditioned that the Park & Recreation Board also approves the proposal. **Seconded** by Supervisor Decker. The motion carried.

2. Email from Brenda Webber

Correspondence was received from Brenda Webber informing the township of broken glass around a piece of playground equipment at Ponderosa Park. The roadmaster also received a copy of this email.

OLD BUSINESS

There was no old business to discuss at this time.

NEW BUSINESS

1. YCPC – Chesapeake Bay Pollution Reduction Plan

Correspondence had been received from YCPC regarding the development of a regional Chesapeake Bay Pollution Reduction Plan. The County would prepare the plan and are looking for municipalities to join in with no cost and not binding at this time.

Motion: Vice Chairman Shambaugh made a motion to join with the County in developing the Chesapeake Bay Pollution Reduction Plan. **Seconded** by Supervisor Campbell. Supervisor Decker noted concern with developing a regional plan and the use of grant money. A waiver for the MS4 Permit was applied to DEP for a 5 year extension but the township has not heard back from DEP. It was noted that DEP will not grant waivers like they did before. The motion died. After discussion it was suggested this be tabled until the July 18 workshop meeting.

CORRESPONDENCE

1. Retention of Services – Guy Beneventano, Esq.

This is for the services of Solicitor for the Zoning Hearing Board. It was noted that no action is needed.

2. Harmony Bethel Church of God – Soccer Fields

It was noted that the church is adding 2 soccer fields and is working with KPI. This sketch plan was before the Planning Commission. It was noted that there will be no stormwater management or grading.

PUBLIC COMMENT

1. Mike Ryan, Lost Hollow Road

Mr. Ryan questioned the procedure for building permits if an appointment is needed or just stop by the township office. Also he questioned the cost again of what the township spent regarding the nuisance ordinance and it was noted it cost \$3,000.00.

Zoning Officer Picarelli stated that he will be in the Dillsburg office every Tuesday from 8:00 a.m. until 12:00 noon.

EXECUTIVE SESSION

The Board of Supervisors went into executive session at 8:50 p.m.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary