

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
August 14, 2013**

ROLL CALL

Present were Supervisors Donald Lerew, John Shambaugh, Edward Campbell, John Holder and Naomi Decker. Also present were Solicitor Stacey MacNeal, Engineer Timothy Knoebel, 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. The meeting was called to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE AND PRAYER

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

APPROVAL OF MINUTES

1. Board of Supervisors Regular Meeting – July 10, 2013

Motion: Vice Chairman Shambaugh made a motion to approve the minutes of the July 10, 2013 meeting. **Seconded** by Chairman Lerew. Supervisor Decker noted that there were a few changes. The motion carried.

2. Board of Supervisors Workshop Meeting – July 18, 2013

Motion: Vice Chairman Shambaugh made a motion to approve the minutes of July 18, 2013. **Seconded** by Supervisor Campbell. Supervisor Decker noted that there were a few changes. The motion carried.

PUBLIC COMMENT

1. Chet Musser, Franklintown Condominium Unit Owners Association

Mr. Musser had given correspondence requesting that the Supervisors allow the Condo Association to install 3 speed bumps on the backside of Franklin Glen Circle Extended. The speed bumps would help control speed and water runoff from the hill above that runs down the street and puddles several inches deep in front of several condos. It was noted that the township road is from Route 194 to the first set of mailboxes and the area they are talking about may be in Franklintown Borough. The roadmaster will check this out.

2. Yvonne & Kevin Leitzel, Clear View Road

Yvonne & Kevin Leitzel were present to discuss the situation between them and their neighbors in regards to the dirt track at their home. They are still being cited and also being harassed on a daily basis. Mr. Leitzel brought into the meeting room a mini bike that his children ride and informed the Supervisors that his lawnmower is louder than the mini bike. At the hearing that was held in July there was an agreement between the township, the police and the Leitzles to resolve this issue, but the calls have started again and they are going to another hearing. Solicitor MacNeal stated that only one citation has been issued after the hearing. Mr. Leitzel had become very angry and not letting the Supervisors having a chance to speak with interrupting constantly.

A friend of the family noted that the neighbors are hyper sensitive.

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 noted that with the repair of the well at Century Lane Park

that an estimate was sent in for insurance purposes but no invoice has been received from Steve Morret of the actual work that was performed. **Motion:** Vice Chairman Shambaugh amended the motion to pay the bills except the Steve Morret bill. **Seconded** by Chairman Lerew. The motion carried.

TREASURER'S REPORT

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

1. RFP's for Township Auditor

It was noted that the township auditors have completed their 3-year proposal which was awarded in December, 2010. Request for Proposals need to be sent out again in order for the Supervisors to choose an auditor for the upcoming 3 years.

Motion: Vice Chairman Shambaugh made a motion to have the Secretary send out RFP's for township auditor. **Seconded** by Supervisor Campbell. The motion carried.

ORGANIZATION REPORTS

Police – Supervisor Campbell noted there has been an increase in calls. National Night Out was held in Dover and it was noted that the Carroll Township Police Department had theirs on the same night.

Fire - There was a report from Citizens Hose Company #1. There were 2 calls in Franklin Township during the month of July. A copy of the report is on file at the township office.

EMS – A report was submitted noting there were 31 calls during the month of July in Franklin Township. The ambulance should be back in service by next week. A copy of the report is on file at the township office.

Fire – Chief Whitzel noted that there were 7 calls in Franklin Township during the month of July. There was discussion on the progress of the new fire engine and that it is on target for completion for either late September or early October. There are 2 events coming up with the brush truck being at Carroll Township and Latimore Township. At this time Chief Whitzel recognized Ryan Markel for all the training he has completed.

DAA –The minutes were received. There is still an issue with the water main in the wrong location at Highland Park. It was noted that this is an issue with dedication.

Emergency Management – Mr. Fleming noted that the radio was replaced that could not be upgraded. Also their printer/fax needs to be replaced. The CAD system is being upgraded but this does not affect them. It was suggested that the fire companies and EMS work together as there were problems in the past.

NYCRCP Transportation – Vice Chairman Shambaugh reported on the meeting that was held on August 9 at Representative Mike Regan's office. Safety issues of minimum cost are being looked at. PennDOT will be sending a drawing showing a jug-handle alternative instead of closing the roads, with reconstructing the crossings with a left hand turn only. It was noted that all of the traffic signals in Carroll Township should be synchronized. There was also discussion at the meeting for a possible traffic light at Route 15 and Range End Road until the interchange is completed.

SUBDIVISION AND LAND DEVELOPMENT

1. Parcel 24B (Merit Properties) Final Subdivision Plan, File #2013-06-10

Engineer Knoebel stated that the Planning Commission did recommend this plan be forwarded to the Supervisors with issues that need to be addressed. This plan is for the back parcel of Sherwood Forest. Engineer Knoebel's letter dated August 1, 2013 was discussed with Mr. Jerry Stahlman, engineer for the applicant. The following comments were discussed in detail:

Comment #3 – a turnaround area for snow removal was discussed with the need of an easement. Add the areas to be available and to put stone down in order to use. The applicants had no objection.

Comment #5 – landlocked lot 1C. This lot is in the steep slope area and there is no recorded right-of-way. It is approximately 628' up from the street. This lot was dedicated to the Township for recreation use. Solicitor MacNeal noted that to transfer this lot the Township would have to petition the Orphan's Court. Proceeds from Lot 1C would go for recreation purposes.

Comment #7 – sewage facilities planning is required. A planning exemption has been signed and Mr. Stahlman submitted the agreement for 2 EDU's.

Motion: Vice Chairman Shambaugh made a motion to approve the planning module. **Seconded** by Supervisor Campbell. Supervisor Decker asked when you approve the planning the module does it have an effect when you vote to approve or deny a plan. With this going to DEP how will this affect the plan to know it is acceptable and the Board approves the plan. The motion carried.

Comment #6 – public sewer and water to serve both lots. It was noted that water and sewer will be extended to both lots. DAA never took ownership from the manhole at the end of Robin Hood Road to the stub at the intersection of Little John Road. The Township will need to see a drawing of how it is laid out. The line is owned by DAA with a private line and manhole at Robin Hood and St. John Roads. It was noted that this needs to be dedicated. The design, approval and financial security are needed prior to approval.

Comment #9c – the presence of past mining. It is recommended that a note be placed on the plan. It was questioned if a note is sufficient as it was noted that there is a need to make the buyer aware of the prior mining activities. Supervisor Decker asked what is the Township liability regarding sinkholes. There was discussion on recording a special document but it was decided against it. Just a note on the plan will be sufficient.

Comment #5 was revisited with the owner agreeing to pay court costs, have an appraisal of the recreation land and compensation for the lot.

Motion: Vice Chairman Shambaugh made a motion to table the Parcel 24B (Merit Properties) Final Subdivision Plan, File #201306-10 conditioned a grant of an extension of time. **Seconded** by Supervisor Campbell. The applicant does have until September 11 before a time extension is needed. Vice Chairman Shambaugh amended the motion to just table the plan at this time. **Seconded** by Supervisor Campbell. The motion carried.

2. Harmony Bethel Church, Soccer Fields

Engineer Knoebel noted that the church is planning to re-grade the existing softball fields and put in some soccer fields. This has gone through the Planning Commission, submitted a sketch plan, has filed for a zoning permit, and has contacted the SEO and YCCD. Formal notification to the adjoining property owners was also done. The Planning Commission is satisfied and no land development plan is needed. There will also be no new impervious coverage and there are no concerns.

REPORTS

Engineer

There was nothing to report at this time.

Zoning Officer

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

Solicitor

1. Set Date for Workshop Meeting

After a brief discussion it was noted that August 27 at 7:00 p.m. will be the next workshop meeting.

2. Updates

There is currently a Bill under consideration with changes being made regarding recreation fees. This has passed the House and is currently in Committee. The 2 main issues with this is it expands the purpose for which a municipality can use the money for and currently wording notes that if the money is not used within 3 years the applicant can request the money be returned to them, but what is being proposed is they are taking out the "within 3 years".

3. Franklin Glen

The stormwater repair work has not started yet but it should be any day now.

4. Collections

Solicitor MacNeal stated that she is working with the Treasurer on invoices that are past due. It was noted that Mr. Crook still owes the Township \$697.00. There was discussion on either sending this to a collection agency or putting a lien on the property. It was noted that if Mr. Crook comes back to the Township this payment will need to be paid up front.

5. Conduct of Meetings

Solicitor MacNeal handed out a Resolution from York Township that they adopted that deals with the conduct of meetings. It was noted that this will be discussed at the next workshop meeting.

6. Executive Session

An executive session is needed to discuss a personnel matter.

BCO

A copy of the BCO report was submitted.

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

This was tabled from last month's meeting so the Supervisors could review it. It was noted that this is common policy in other municipalities.

Motion: Vice Chairman Shambaugh made a motion to authorize the office staff to issue non UCC building permits. **Seconded** by Chairman Lerew. The motion carried.

2. Letter from Quality Greenhouses, Building Permit Cost Discrepancy

There is a sizeable discrepancy in the cost of the current building permit and the ones previously issued. The previous permits were not based on the fee schedule and Bob Shelly was not sure how they were calculated. It was suggested to have Mr. Shelly re-evaluate the costs so possibly some relief could be done. Solicitor MacNeal also stated that with this large of a building the fee schedule does not compute. The Board does have the authority to grant relief. This will be addressed at the workshop meeting.

Road master

A report was submitted by the roadmaster.

1. Franklinton Borough, Plow Snow on Borough Streets

A request had been received from Franklinton Borough wanting to know if the Township would want to plow snow this winter for them. It was noted that the Township no longer plows the State roads in the Township and that the Borough mostly has alleys. It was noted that a private contractor should be contacted. There was discussion on the cost. Township roads would be plowed first then the Borough's.

Motion: Supervisor Campbell made a motion to have the Secretary respond to the Borough that the Township will not be plowing their streets. **Seconded** by Vice Chairman Shambaugh. The motion carried.

2. Equipment Purchase

It was noted that the roadmaster is seeking to replace the front end loader and had given the Supervisors a memorandum with a quote from Cleveland Brothers for a 2013 Caterpillar 924K. Delivery would take place in 3 to 4 months. There is \$107,696.44 available in the state highway fund and the cost is \$110,660.00. It was suggested that the roadmaster go back to Cleveland Brothers to see if they would reduce the price by \$3,000.00. It was also suggested that instead of using the old loader as a trade-in the township could either put this out for bid or take it to the York Springs auction for used equipment.

Motion: Vice Chairman Shambaugh made a motion to authorize the roadmaster to go back to Cleveland Brothers to see if we can settle on the \$107,696.44 and that this will be discussed at the workshop meeting. **Seconded** by Chairman Lerew. The motion carried.

Park & Recreation

1. Ponderosa Park

The tile racks, paper holders, changing table and signage have been installed in the new restrooms. Trash cans need to be purchased.

2. Twin Hills Survey

The survey of the Twin Hills recreation areas has been completed. There are some issues with the property lines in regards to some sheds, gardens and fences that are over the property line. It was noted that there should be a plan with metes and bounds.

OLD BUSINESS

There was no old business to discuss at this time.

NEW BUSINESS

There was no new business to discuss at this time.

CORRESPONDENCE

1. Request for Signs – Chainsaw Road

Correspondence had been received requesting that a road sign be installed indicating that residents need to slow down on Chainsaw Road where a legally blind child lives.

Motion: Vice Chairman Shambaugh made a motion to authorize the installation of signs on Chainsaw Road. **Seconded** by Supervisor Campbell. The motion carried.

2. PennDOT – Speed Limit Signs & Church Warning Signs

The Township had sent a letter to PennDOT requesting the reduction of the existing speed limit signs on Clear Spring Road and South Mountain Road along with a church warning sign. Correspondence was received from PennDOT indicating the change of the speed limit on Clear Springs Road from 40 mph to 35 mph is authorized and the church warning sign on South Mountain Road is also authorized. It is the responsibility of the township to purchase, erect and maintain the signs.

Motion: Vice Chairman Shambaugh made a motion to authorize the roadmaster to purchase and erect the church warning sign and the new speed limit sign. **Seconded** by Chairman Lerew. The motion carried.

PUBLIC COMMENT

1. Ron Miller

Mr. Miller commented on the issue with Celebration Church and the property owner who was accusing the church of creating water run-off from the church putting in a parking lot. It was questioned who is responsible for the bill from the township engineer, the person making the complaint or the property owner by whom the complaint is being made. Mr. Miller stated that he is the one who did the work. Mr. Miller noted that there were 3 invoices received from KPI with totals of \$134.50, \$365.75, \$119.00 which equals \$619.25. Mr. Miller was told that he could contest the invoices that are related to the complaint.

2. Brian Fahey

Mr. Fahey questioned the road closures along Route 15 and it was noted that they are not cancelled, just that PennDOT is looking at other options.

EXECUTIVE SESSION

The Board of Supervisors went into executive session at 9:40 p.m.

ADJOURNMENT

Motion: Supervisor Campbell made a motion to adjourn the meeting at 10:00 p.m. **Seconded** by Chairman Lerew. The motion carried.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary