

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
September 11, 2013**

ROLL CALL

Present were Supervisors, John Shambaugh, Edward Campbell, 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 7:16 p.m.

PLEDGE OF ALLEGIANCE

Vice Chairman Shambaugh led the Pledge of Allegiance.

APPROVAL OF MINUTES

1. Board of Supervisors Regular Meeting – August 14, 2013

Motion: Supervisor Campbell made a motion to approve the minutes of the August 14, 2013 meeting. **Seconded** by Supervisor Decker. Supervisor Decker noted that there were a few changes. The motion carried.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL AND PAYMENT OF BILLS

Motion: Supervisor Decker made a motion to approve the payment of the bills as listed. **Seconded** by Supervisor Campbell. Supervisor Decker commented on Mr. Benevenatano's bill. Last month he submitted a bill in the amount of \$1,208.00 and another bill was submitted this month for \$1,505.00 for the same hearing. This is a total of \$2,713.00. Supervisor Decker noted concerns as the previous ZHB Solicitor's highest bill was \$800.00. Supervisor Campbell noted that it is not too many hours but it will cut into the budget. Supervisor Decker stated that this is not acceptable. The motion carried.

TREASURER'S REPORT

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

1. Set Date for Budget Meeting

It was noted that a spreadsheet is needed of the current budget expenses and a best estimate of the rest of the year. The Supervisors will review this to last year's and also an estimated budget for next year. The budget meeting was set for Thursday, September 26, 2013 beginning at 7:00 p.m.

ORGANIZATION REPORTS

Police – Supervisor Campbell noted there has been an increase in calls. In July there were 123 calls which are up from 117 in 2012 and in August there were 132 calls which are up from 89 in 2012. There was an incident involving a 31 year old woman jogger that was slapped by a 17 year old male. There was a theft on Range End Road. With the police department's budget there is an increase in cost as follows: for 75 hours per week it will cost the township \$287,879.60, there is an increase of 3.5% for payroll, insurance is up 10%, the pension costs

are up 23% and the municipal contribution will be 5.85%. The department is looking at future pension funding for the next 5 years.

Fire – Franklinton Fire Company noted that there were 8 calls in the township during the month of August. The fire boxes will not be changed just a few minor adjustments.

Citizens Hose Co. #1 submitted a report.

EMS – A report was submitted.

DAA –The minutes were received.

Emergency Management – An email was received from Laurin Fleming regarding adopting York County’s 2013 Hazard Mitigation Plan instead of writing one for the township. A resolution was also submitted with the email that would make it official. Mr. Fleming was not in attendance and the Supervisors noted that they need to hear from Mr. Fleming first before any action can be taken.

NYCRCP Transportation – Vice Chairman Shambaugh reported that the next meeting is scheduled for September 27 at 10:00 a.m. and will be held at the Carroll Township building.

SUBDIVISION AND LAND DEVELOPMENT

1. Remcon, Inc. Land Development Plan, File #2013-02-11

This plan proposes to construct 2 – 7,500 s.f. buildings with accompanying parking, storage bins, etc. The lot is 3.36 acres and is located at Route 15 and Scotch Pine Road in the Open Space zoning district. The Planning Commission has recommended approval of this plan. A Special Exception was granted in December 2009. The comments from KPI’s letter dated September 10, 2013 were addressed which are mostly administrative items as follows:

Subdivision Ordinance

- 1) The surveyor/engineer’s seal is required on all sheets (306.D.1).
- 2) An executed owner’s acknowledgement is required (306.A.25).
- 3) Financial security of related improvements is required in the amount of \$40,403.00 (316.A.5).
- 4) An approved E&S plan and NPDES permit are required (316.A.13).
- 5) A fee of \$6,050.00 is required in lieu of road improvements along the frontage of Scotch Pine Road (4.101.C.2.B).
- 6) A fee of \$5,800.00 is required in lieu of providing recreation areas [5.812 acres at \$1,000. per acre (415)].
- 7) A stormwater management operations and maintenance agreement is required to be executed and recorded.

An email had been received from YCCD regarding the NPDES permit as there are only a few minor comments. Supervisor Decker noted that she would like to see plans prior to coming before the board for approval.

Motion: Supervisor Campbell made a motion to approve the Remcon, Inc. Land Development Plan as per the comments from the KPI letter dated September 10, 2013 and the approval of the NPDES Permit. **Seconded** by Supervisor Decker. The motion carried.

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

A time extension for the plan was submitted until November 15, 2013. Mr. Cobb, a resident of Sherwood Forest, asked with this subdivision and each parcel being 25 acres with one dwelling unit being proposed per parcel, if a purchaser of one of the lots could subdivide the lot further. Engineer Knoebel noted that the Planning Commission recommended no further subdivision of the lots. No new roads are being proposed just driveways. Water run-off was also questioned and it was noted with the submission of a building permit a stormwater management plan is also needed.

Motion: Supervisor Campbell made a motion to accept the time extension on the Parcel 24B, Merit Properties Final Subdivision Plan until November 15, 2013. **Seconded** by Supervisor Decker. The motion carried.

Mr. Stahlman, engineer for the applicant, noted that the issue with the 2-acre recreation lot is to be taken off the table at this time and could be discussed at a later date. The issue with the public sewer with a private lateral will be a public facility at the developer's choice. DAA will then take ownership.

REPORTS

Engineer

Engineer Knoebel noted that there is a meeting being held on September 19 with the York County Planning Commission with regards to the MS4 Permits.

Zoning Officer

A copy of the zoning officer's report had been submitted. Supervisor Decker questioned the same permit numbers on KPI's bill. It was noted that the zoning officer will give Supervisor Decker a call to clarify any questions she may have.

Solicitor

1. Set Date for Workshop Meeting

Solicitor MacNeal provided draft reading material on Section 502, Change of Use for a Non-conforming Use and Section 438 – Mobile Home Parks. There was also discussion on Signs. Ordinances from other municipalities regarding signs have been provided. Article 6 – Administration & Enforcement will also be discussed at the next Workshop meeting with amendments from the zoning officer. It was noted that the next Workshop Meeting will be held on October 3, 2013 beginning at 7:00 p.m.

2. Policy to Govern Public Comment at Meetings

It was noted that since Supervisors Lerew and Holder are not present that this will be tabled at this time.

3. Franklin Glen

The stormwater repair work will be starting next week on the basin. It was noted that the Township needs the contractor to guarantee the work.

4. Executive Session

An executive session is not needed this month.

BCO

A copy of the BCO report was submitted.

1. Appointment of Kim Shoffner as BCO

It was noted that since Supervisors Lerew and Holder are not present that this will be tabled at this time.

Road master

A report was submitted by the roadmaster.

1. Equipment Purchase

There was a re-pricing quote from Cleveland Brothers noting the selling price of \$109,160.00 plus quotes from other suppliers with John Deere being the lowest quote. This is to be tabled until the budget meeting.

Park & Recreation

1. Twin Hills Survey

Supervisor Decker noted that she will contact Mr. Lyons.

2. Ponderosa Park

It was noted that the restrooms are up and running for public use.

Regarding the notice of violation from DEP on the new well at Ponderosa Park, the roadmaster did shock the well and LABS will do testing which are sent to DEP. It was suggested to get sample bottles from LABS.

It was noted that the police will be patrolling Ponderosa Park.

OLD BUSINESS

Mike Ryan of 185 Lost Hollow Road stated that over a year ago he had a sign/fence problem with his neighbor which resulted in property loss and damage. This was in May/June of 2012. It was indicated that no permit was ever issued and there was a question on the height of the fence. It was suggested to have the zoning officer check this out because the previous zoning officer had indicated to the Board of Supervisors that the problem had been resolved.

Mr. Ryan also stated that he has an issue regarding the nuisance law and what the breakdown was of how much time was spent on that ordinance.

NEW BUSINESS

There was no new business to discuss at this time.

CORRESPONDENCE

1. York County Assoc. of Township of the Second Class Convention

It was noted that if any of the Supervisors are interested in attending this convention to let the township secretary know. Supervisor Decker noted that any amendments for the PSATS convention and equipment that

the township has for sale can be submitted to them. It was questioned about selling the wheel loader and how this equipment is advertised.

PUBLIC COMMENT

1. Ron Miller

Mr. Miller noted that he has issues on the billing invoices he has received from KPI on the Celebration Church stormwater issue. It was noted that a refund check will be issued to the church in the amount of \$600. Mr. Miller also noted concern on the invoices he received pertaining to his land development plan with the number of engineering review hours which totaled \$3,905.00. Vice Chairman Shambaugh reviewed the issues with Mr. Miller. The Solicitor is involved in reviewing the plan and the township is now allowed to bill for this service. The stormwater management that is designed and submitted to the township from the applicant's engineer is also reviewed. Engineer Knoebel stated that he will revisit the invoices and re-tabulate.

2. Dan Albert

Mr. Albert asked how much the township gets from the invoices. The township pays the KPI bill and then the township invoices the parties that can be invoiced.

3. Roy Diller

Mr. Diller of Control Systems 21 also stated that he recently had a subdivision plan and the engineering reviews were the same as Mr. Miller's. It was stated that this system needs to be changed. In the MPC it does state that if there is a dispute a person has 180 days to appeal. It could also go to an arbitrator.

4. Stormwater Management

Supervisor Decker brought up the John Haines issue with stormwater and asked why not put in seepage pits. More information needs to get out to our citizens about alternative types of stormwater management.

ADJOURNMENT

Motion: Supervisor Campbell made a motion to adjourn the meeting at 9:23 p.m. **Seconded** by Supervisor Decker. The motion carried.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary