

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
January 8, 2014**

ROLL CALL

Present were Supervisors, Donald Lerew, John Shambaugh, David Sprigg, John Holder, and Naomi Decker. Also present were Solicitor Bret Shaffer, Engineer William Hill, 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 7:00 p.m.

PLEDGE OF ALLEGIANCE AND PRAYER

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

APPROVAL OF MINUTES

1. Board of Supervisors Workshop Meeting – December 5, 2013

Motion: Vice Chairman Shambaugh made a motion to approve the December 13, 2013 workshop meeting minutes. **Seconded** by Supervisor Decker. The motion carried.

2. Board of Supervisors Regular Meeting – December 11, 2013

Motion: Vice Chairman Shambaugh made a motion to approve the December 11, 2013 regular meeting minutes. **Seconded** by Chairman Lerew. Supervisor Holder noted under public comment #1 the term “jiffy john” should be “port-a-potty”. The motion carried with Supervisor Decker abstaining since she had not reviewed the minutes.

PUBLIC COMMENT

1. Ken Swomley, Franklinton Road

Mr. Swomley noted concern with local governments and with their awareness of what is going on in this country. There are people active in the township and community that have a lot of influence about walking trails which was discussed years ago. Mr. Swomley commented on Agenda 21, people working with the U.N. to implement their policy and advising the township.

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 payment of the bills should be made only after confirmation of invoices, to look at the invoices. The motion carried. Supervisor Decker noted that with the actual vs. budget profit and loss there are discrepancies. Supervisor Sprigg noted that he needs clarification. Vice Chairman Shambaugh withdrew his motion and Chairman Lerew withdrew his second.

Motion: Chairman Lerew made a motion to pay the bills after the invoices are looked at. **Seconded** by Supervisor Decker. The motion carried with Vice Chairman Shambaugh opposing.

TREASURER'S REPORT

Motion: Vice Chairman Shambaugh made a motion to approve the Treasurer's Report. **Seconded** by Chairman Lerew. Supervisor Decker noted the figures appear to be consistent with last month's and not out of line. The motion carried.

1. Authorize Advertisement of Revised Budget for Adoption

There was discussion on the change to the budget. The change was made to the earned income tax and the real estate. Supervisor Decker noted that there was an amount with a \$100,000.00 difference. This will be discussed in an executive session. It was noted to table this and look at it at the January 16, 2014 meeting.

ORGANIZATION REPORTS

Police –Supervisor Sprigg is the new police commissioner and the next police meeting will be held on January 21.

Fire – Franklinton Fire Company noted that there were 8 incidents in the township in December. The final report will be given next month. Fire company officers were sworn-in last night. The CDL report will come at a later date, as the ISO reports need to be done first.

There was no report received from Citizens Hose Company #1.

EMS – There was no report submitted.

DAA –The minutes were received. It was noted the water line in Highland Park was put in the wrong place and will cost approximately \$30,000.00 to correct.

Emergency Management – Mr. Laurin Fleming noted that there is a training course for elected officials in February by TMI and Peach Bottom power plants. Mr. Fleming is updating the EOP and will need assistance from the township.

NYCRCP Transportation – There was nothing to report at this time. Chairman Lerew introduced Mr. Shaffer, Mr. Hill and Supervisor Sprigg to the audience.

SUBDIVISION AND LAND DEVELOPMENT

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

Mr. Jerry Stahlman represented this plan and noted that the planning module has been approved. This plan was before the Planning Commission last night which received approval and there are no outstanding items. After a review of the revised plan the following comments were noted:

1. All owner's acknowledgements and related certifications by the Surveyor are required to be executed prior to recording (306.D.1 & 25).
2. Monuments and markers must be installed or financially guaranteed (500).
3. Regarding parcel 1C (2 acres owned by Franklin Township) it is the understanding that the plan proposes leaving the property in its current state and ownership.
4. The plan proposes connection to public water. From discussions with Mr. Williams of the DAA it is unclear as to the location of the existing water main on Stephanie Drive and Robin Hood road. He advised that the mains would need to be test pitted to determine the location. Additionally Mr. Williams indicated that water

pressure booster pumps would be required due to insufficient pressure at this elevation. It is the recommendation that if public water is proposed that the test pits would be required at this point along with dedication of any extensions to the DAA. Acknowledgement of the DAA for available supply and approval of connection also needs to be provided (306.D.9; 306.D.20).

5. A suitable recreational area meeting the ordinance requirements or a fee in lieu of is required to be provided. The plan should note that a fee in lieu of has been proposed (415).

Comments #1 & #2 have been completed. Comment #3 a note on the plan will be provided, comment #4 is noted in Note #15 on the plan which indicates it will be serviced by private wells and comment #5 will be paid.

The landowner is willing to pay the legal fees for the process of allowing the Supervisors to convey ownership of the land and get compensation for the recreation area. A draft agreement was prepared. There is no right-of-way to the recreation area. The owners agreed to work with the township. The recreation board talked about getting rid of the 2-acre tract and creating a 50' buffer zone.

Motion: Vice Chairman Shambaugh made a motion to approve the Merit Properties Subdivision Plan conditioned upon the execution of an agreement with the developer with regards to the legal fees involved in transferring the property. Discussion ensued with Mr. Stahlman the applicant's engineer regarding the motion as the applicant has complied with the ordinances and they are entitled to an approval of their plan. **Seconded** by Supervisor Decker. The Solicitor is to work with the developer within 30 days. Mike Ryan commented on Ms. MacNeal regarding Control Systems 21 and holding their money. Mr. Ronald Gingrich, Chairman of the Park & Recreation Board, stated that he had addressed the Planning Commission at their meeting last night with regards to putting a right-of-way in the steep slope and to have a 50' buffer zone behind the current properties on Little John Drive. Mr. Ross from the Recreation Board also talked about the 2-acre parcel and 50' buffer zone. The plan does not specify an area for recreation purposes. Supervisor Decker noted that they consider a note on the plan of the 50' buffer strip and that the trees will be undisturbed. It was noted that verbiage can be added to the plan. Vice Chairman Shambaugh withdrew his motion and Supervisor Decker withdrew her second.

Motion: Vice Chairman Shambaugh made a motion to approve the Merit Properties Subdivision Plan with the revised note regarding the 50' buffer zone. **Seconded** by Supervisor Holder. Supervisor Decker noted that the isolation area around the septic is not on the plan. This will be added. Mr. Cobb a resident of Sherwood Forest noted that he supports what the Park & Recreation Board is asking as there is no recreation area. Supervisor Decker commented that there was to be a block note regarding the mining studies that were done previously, which is so noted in Note #14 of the plan. The motion carried.

2. Harry Fox Subdivision Plan, Time Extension

A time extension was received until April 9, 2014.

Motion: Vice Chairman Shambaugh made a motion to accept the time extension for the Harry Fox Subdivision Plan until April 9, 2014. It was noted that this is the date of the Supervisors meeting and the date should be extended. **Motion:** Vice Chairman Shambaugh amended his motion to extend the date to April 15, 2014. **Seconded** by Supervisor Decker. 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.

Solicitor

1. Ordinance Repealing Ordinance No. 3-2007

Motion: Vice Chairman Shambaugh made a motion to table action on this Ordinance until the February meeting so the new Solicitor has time to review. **Seconded** by Chairman Lerew. The motion carried.

2. Executive Session

An executive session will be held.

BCO

There was nothing to report at this time.

Road master

1. Mandated Flagger Training

Motion: Supervisor Sprigg made a motion to send the 3 road crew members to the mandated flagger training to be held on January 23, 2014. **Seconded** by Vice Chairman Shambaugh. The motion carried.

Park & Recreation

There was nothing to report at this time.

OLD BUSINESS

There was no old business to discuss at this time.

NEW BUSINESS

1. PSATS Training

Supervisor Sprigg noted that there is a 2-day training session at PSATS for newly elected officials which he would like to attend.

Motion: Vice Chairman Shambaugh made a motion to authorize Supervisor Sprigg to attend the PSATS training. **Seconded** by Supervisor Holder. The motion carried.

2. Appointments of –

a. BCO

Motion: Vice Chairman Shambaugh made a motion to appoint Kim Shoffner as the BCO for 2014. **Seconded** by Supervisor Holder. Supervisor Decker commented on other discrepancies in the financial records until they were resolved she could not vote for Ms. Shoffner as BCO. The motion carried with Supervisor Decker opposing. The motion carried.

b. Zoning Officer

Motion: Vice Chairman Shambaugh made a motion to table this action at this time. **Seconded** by Supervisor Holder. The motion carried.

c. Tax Collector

Motion: Vice Chairman Shambaugh made a motion to appoint Bill Lastoskie to a 2-year term as the township’s tax collector. **Seconded** by Chairman Lerew. The motion carried.

d. Vacancy Board Chairman

Motion: Vice Chairman Shambaugh made a motion to appoint Patrick Hephner as the Vacancy Board Chairman. **Seconded** by Supervisor Decker. The motion carried.

It was noted that there are still 2 vacancies on the Zoning Hearing Board. Mr. Eric Stonesifer of 195 Lost Hollow Road volunteered and Mr. Rick Hoffman of 120 Century Lane volunteered to serve on the Zoning Hearing Board.

Motion: Vice Chairman Shambaugh made a motion to appoint Eric Stonesifer as the regular member and Rick Hoffman as the alternate to the Zoning Hearing Board. **Seconded** by Chairman Lerew. The motion carried.

3. Adoption of Fee Schedules

Motion: Vice Chairman Shambaugh made a motion to adopt Resolution No. 1 – 2014 Establishing Certain Fees with the corrections of the 2 references of KPI being removed and Hill Associates inserted, omit the filing fees for SALDO and correct the legal services fee. **Seconded** by Supervisor Sprigg. The motion carried.

Motion: Vice Chairman Shambaugh made a motion to adopt Resolution No. 2 – 2014 Establishing Fees for Subdivision Plans. **Seconded** by Supervisor Holder. The motion carried.

CORRESPONDENCE

1. PSATS 2014 Conference

It was noted that there is a discount on the registration fee if paid before a certain date. It was noted that all of the Supervisors and Secretary will be attending the PSATS 2014 Conference.

PUBLIC COMMENT

1. Kim Shoffner, Township Treasurer

Mrs. Shoffner amended the budget as previously discussed and handed it out to the Supervisors and also presented one more bill for the bill list. It is the roadmaster’s credit card bill from Members 1st.

Motion: Vice Chairman Shambaugh made a motion to approve the credit card bill. **Seconded** by Chairman Lerew. The motion carried.

2. Ron Miller, Capitol Hill Road

Mr. Miller stated that he needs to know the process to start with an arbitration to get relief from the invoices he was billed regarding his land development plan. It was noted that the process is set in the MPC. It was suggested that he submit a written request. Mr. Miller also commented on the design view for the widening

along his road frontage and that he needs the township road specifications to widen the road 4'. Mr. Miller stated that he can do the work himself since he is an excavator.

3. Mike Ryan, Lost Hollow Road

Mr. Ryan questioned if the fence issue will be re-visited and commented on the "No Trespassing" sign. Mr. Ryan also questioned the certificate of insurance.

EXECUTIVE SESSION

The Board of Supervisors went into executive session at 9:05 p.m. with no action to be taken.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary