

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
February 12, 2014**

**ROLL CALL**

Present were Supervisors Donald Lerew, David Sprigg, John Holder, and Naomi Decker. Also present were Solicitor Bret Shaffer, Engineer Fred Heerbrandt, 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 hearing was called to order at 6:35 p.m.

**CONTINUATION OF VERIZON CONDITIONAL USE HEARING – 6:30 p.m.**

This is a continuation of the January 16, 2014 hearing. Information on the tower being 150' to a 200' tower as requested has been provided. Mr. James Strong, attorney for Verizon gave a follow-up from the previous hearing.

There was a concern with the removing of the tower, therefore in exhibit A-13 is the tower removal agreement. It was noted that Vice Chairman Shambaugh did not want white pines planted, so the applicant will go with whatever plantings the township wants with this being a condition of approval along with the tower removal agreement. It was noted that exhibits A-2 and A-3 are consistent with each other.

Mr. Petersohn discussed what type of coverage there is between a 150' tower and a 200' tower with the following exhibits:

- A-14 Existing Coverage Plot
- A-15 Proposed Coverage Plot
- A-16 Coverage Plot (150')
- A-17 Coverage Plot (proposed vs. 150')

It was noted that the southern end of the township is the problem area. The proposed tower height has a more significant coverage than the 150' tower.

Audience members Sherry DePasqua and Carla Maddox identified themselves at this time.

The Supervisors asked the following questions:

Supervisor Decker questioned about the use of the tower at Scotch Pine Road and Route 15. It is not in the search area.

Supervisor Sprigg questioned the yellow existing coverage on the map. At a 150' this shows an overlap of existing coverage and even at 199' there is also an overlap. It was noted that there are scattered instead of solid coverage.

Chairman Lerew asked how far a signal goes out, in general. It was noted that it depends on the topography.

Members of the audience presented questions.

Sherry DePasqua, 137 Old Cabin Hollow Road inquired about the installation and take down. It is so noted in the ordinance. The tower will be 149' from all property lines. The water run-off onto adjoining properties, the wind speed and structure of the tower were discussed. Verizon manages the stormwater on site and there will be a gravel compound area. The tower will also be to FCC standards.

Carla Maddox, 133 Old Cabin Hollow Road addressed the drainage issues and water problems when there are heavy rains. The electric access is coming from Glenwood Road. There is a concern with an assessment on an adjoining property and if there would be the same curb appeal.

Ms. DePasqua asked if there was any consideration to move the tower farther back towards the property owner.

Gerald Speck, 176 Glenwood Road asked if there was study done on the impact on the property values.

Chief Whitzel, FCFC asked about if there was a fire. It was noted that towers are monitored 24/7.

Ms. Maddox questioned the location of the towers.

Supervisor Decker asked if this was the landowner's choice for the placement of the tower. It was both the landowner and Verizon. There was also discussion on the access to move the location.

Mr. Speck, and Ms. DePasqua were sworn-in at this time and are in agreement with everything said on record.

With regards to a light on the tower for the safety of the ultralights that are flying, it was noted that the FAA is not requiring it. The light cannot be taken off if it is registered. The light could be done as a condition of approval to be installed within 1 year.

Supervisor Sprigg commented about the placement of the tower. This is a permitted use with a conditional use approval in the open space zoning district. Supervisor Decker stated that if this is granted the applicant can address the light issue at the land development plan along with the stormwater management plan to maintain and detain the water.

**Motion:** Supervisor Decker made a motion to grant approval based on a one-year time frame to do or do not need a light, also to include a land development plan for review by the Planning Commission with a stormwater management plan, the township decides what type of trees to be planted, the tower is granted at 199' and 149' setbacks, and exhibit A-13 the execution of the tower removal agreement. **Seconded** by Chairman Lerew. The motion carried.

The hearing was closed at 7:53 p.m.

### **REGULAR MEETING**

The regular meeting was called to order at 7:58 p.m.

### **PLEDGE OF ALLEGIANCE AND PRAYER**

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

## **ORGANIZATION REPORTS**

**Fire** – At this time the reports from Citizens Hose and Franklinton Fire Co. were given. Carla Snyder from Citizens Hose noted that there were 6 calls in township for January.

Chief Whitzel from Franklinton Fire Co. noted that he has 2 reports which were reviewed with the Supervisors. Supervisor Holder asked about the dry hydrant on County Line Road. It was noted that nothing has been installed yet but that the highway department is to install it.

## **APPROVAL OF MINUTES**

### **1. Board of Supervisors Reorganization Meeting – January 6, 2014**

**Motion:** Supervisor Decker made a motion to approve the minutes of January 6, 2014 noting there was one change. **Seconded** by Supervisor Sprigg. The motion carried.

### **2. Board of Supervisors Special Meeting – January 7, 2014**

**Motion:** Supervisor Decker made a motion to approve the meeting minutes of January 7, 2014 nothing there was one change. **Seconded** by Chairman Lerew. The motion carried.

### **3. Board of Supervisors Regular Meeting – January 8, 2014**

**Motion:** Supervisor Decker made a motion to approve the meeting minutes of January 8, 2014 with a minor change. **Seconded** by Chairman Lerew. The motion carried.

## **PUBLIC COMMENT**

There was no public comment at this time.

## **APPROVAL AND PAYMENT OF BILLS**

Supervisor Sprigg questioned the Dillsburg Auto Center bill and that it should be checked into regarding the alternator which was defected. This is a charge of between \$500. and \$600. It was decided to hold that bill. Also the KPI bill for \$190.00 notes the preparation and attendance of the PC and BOS meetings. There is a summarization but this needs to be clarified. Supervisor Decker commented regarding Lake Lea that it does not specify what was done, but it was noted that it is for the detention pond area. The Goodling 2 zoning bills were reviewed as it looks like a repeat. It was noted that the Adams County National Bank is not on the bill list which will be added at an addition of \$2,402.11.

**Motion:** Supervisor Decker made a motion to pay the bills with the addition of the ACNB bill and to hold KPI's and Dillsburg Auto Center. **Seconded** by Chairman Lerew. The motion carried.

## **TREASURER'S REPORT**

It was noted that the Supervisors would like to see the Year to Date report along with monthly report.

**Motion:** Chairman Lerew made a motion to approve the Treasurer's Report. **Seconded** by Supervisor Holder. The motion carried with Supervisor Decker abstaining.

### **1. Adoption of Revised Budget for 2014**

**Motion:** Supervisor Decker made a motion to approve the revised budget for 2014. **Seconded** by Chairman Lerew. Supervisor Decker noted with the zoning officer it should be under 408.20 and to change it to zoning/engineer. The motion carried.

## **ORGANIZATION REPORTS**

**Police** –Supervisor Sprigg noted that 4 new officers were sworn-in. There was an increase of 17% in December and a 3% decrease in January of calls.

**EMS** – There was no report submitted.

**DAA** –The minutes were received.

**Emergency Management** – Mr. Laurin Fleming noted that they are ready for the storm. Looking at emergency medical services as some ALS services have stopped and that BLS services are scaling back. Having an ALS at Franklinton fell through. There is no designated Red Cross shelter in the township but there was discussion on using the high school for shelter. The use of the township building was also discussed.

**NYCRCP Transportation** – There was nothing to report at this time.

## **SUBDIVISION AND LAND DEVELOPMENT**

### **1. 2013 Annual Report of the Franklin Township Planning Commission**

The annual report is informational only.

## **REPORTS**

### **Engineer**

Mr. Heerbrandt had nothing to report at this time.

Supervisor Decker asked about the land development plan at Scotch Pine Road with regards to the road improvements fee, but that the first applicant of that property already paid the road improvement fees. This needs to be checked out.

### **Zoning Officer**

A copy of the zoning officer's report had been submitted. It was noted that there is a junk yard that has appeared along Route 15, which could be part of Dave Young's property.

### **Solicitor**

#### **1. Ordinance Repealing Ordinance No. 3-2007**

Mr. Shaffer indicated that he had reviewed the draft and that he had no issues and this is ready to be adopted.

**Motion:** Supervisor Sprigg made a motion to approve Ordinance No. 2014 – 1 repealing Ordinance 3 – 2007 in its entirety. **Seconded** by Chairman Lerew. The motion carried.

#### **2. Agreement with Merit Properties**

It was noted that this agreement is ready. The applicant would pay for the appraisal and if it should cost under \$1,500.00 then this would not go through the courts. There should also be a timber appraisal. There was discussion on paragraph 3 of the agreement which sets forth the procedure with the approval of the Orphans' Court. It was noted that the township also needs to adopt an ordinance.

**Motion:** Supervisor Decker made a motion to accept the document Agreement for the Merit Properties. Solicitor Shaffer noted with Chairman Lerew to sign the document and have a 60-day time frame of the approval of the agreement of sale. **Seconded** by Supervisor Sprigg. The motion carried.

**3. Arbitration**

Mr. Shaffer noted the process with Mr. Miller’s arbitration and the cost. This will be reviewed.

**4. Debt Collection**

It was noted that there is a list of people who owe the township money and therefore the discussion on debt collection ensued. It was noted that the township could file liens. The issue regarding Mr. Dan Albert was also discussed and the engineer will do research for a stormwater management design plan that would be more simple for single family dwellings.

**5. Twin Hills Park**

There was a brief discussion regarding the Twin Hills Park issue regarding the encroachment on park land. It was suggested to table it at this time.

**6. Executive Session**

An executive session will not be needed.

**BCO**

There was nothing to report at this time.

**Road master**

The road master had submitted his reports. Supervisor Sprigg noted that the road crew has approximately 8 tons of salt until another delivery is made and this should be enough for the next storm. The mixture of 25% salt and 75% anti-skid is what they use now but the road master would like to raise the percentage of salt, which this could save in re-plowing and overtime. Rick Hoffman asked if the road master submitted a schedule for a second shift if they go over 8 to 12 hours of plowing. There is a township resident that has complained to Representative Regan regarding a snow plow tearing up their yard. It was suggested that the resident put up reflective signs.

**Park & Recreation**

There was nothing to report at this time.

**OLD BUSINESS**

There was nothing to discuss at this time.

**NEW BUSINESS**

**1. TruGreen Commercial Service Agreement**

This agreement was briefly discussed and reviewed, but it was noted that the soccer club also has their fields treated. This should be discussed more at the March Supervisors meeting.

**2. Employee Handbook**

Supervisor Sprigg noted that in the employees’ handbook it states that a Supervisor cannot serve on the Planning Commission.

**Motion:** Supervisor Decker made a motion to delete that sentence from the employees' handbook indicating that a Supervisor cannot serve on the Planning Commission. **Seconded** by Supervisor Holder. The motion carried.

**3. FEMA Letter**

There was a brief discussion on the letter received from FEMA with regards to participation in the National Flood Insurance Program. There was a packet of information that was forwarded to the Township. This information will be given to the engineer for review.

**4. Liquid Fuels**

An email was received from the Auditor General regarding the liquid fuels tax fund audit for the period in 2008 and 2009. The representative from Municipal Services will be here on Friday and this will be taken care of at that time.

**5. York County 2013 Hazard Mitigation Plan**

This was received from the York County Planning Commission and needs to be adopted by April 18, 2014. It was suggested that the Supervisors review this and take action next month. This should be forwarded to Lauren Fleming for his review too.

**CORRESPONDENCE**

There was nothing to discuss at this time.

**PUBLIC COMMENT**

There was no public comment at this time.

**ADJOURNMENT**

**Motion:** Supervisor Decker made a motion to adjourn the meeting at 10:02 p.m. **Seconded** by Supervisor Holder. The motion carried.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary