

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
January 14, 2015**

ROLL CALL

Present were Supervisors Donald Lerew, John Shambaugh, John Holder, David Sprigg 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. The regular meeting was called to order at 7:00 p.m. Guests and visitors are on the attached sign-in sheet.

Chairman Lerew announced that the Board of Supervisors held an executive session prior to this evening's regular meeting to discuss employee job descriptions.

PLEDGE OF ALLEGIANCE AND PRAYER

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

APPROVAL OF MINUTES

1. Board of Supervisors Regular Meeting, December 10, 2014

Motion: Supervisor Shambaugh made a motion to approve the minutes of December 10, 2014 as submitted. **Seconded** by Vice Chairman Holder. Supervisor Decker noted an addition to page 5 under Health Insurance that it should be noted that the choice belongs to the Board of Supervisors and not the employees.

Motion: Supervisor Shambaugh amended the motion to include that correction. The motion carried with Supervisor Sprigg abstaining.

2. Board of Supervisors Reorganization Meeting – January 5, 2015

Motion: Supervisor Shambaugh made a motion to approve the minutes of January 5, 2015 as submitted. **Seconded** by Vice Chairman Holder. The motion carried with Supervisor Decker abstaining.

PUBLIC COMMENT

1. Chief Bentzel, Northern York Regional Police Department

Chief Bentzel indicated that he was asked by Supervisor Sprigg to come to the meeting tonight to answer or explain any questions the Supervisors or residents may have. Supervisor Sprigg asked Chief Bentzel to explain how the funding works. The police department sells times of units and Franklin Township has purchased 75 hours per week with a cost of \$298,000.00+/year. How they determine when to patrol is by a breakdown of calls and it shows that the busiest time period is between 9:00 a.m. and 9:00 p.m. If a crime occurs which results in an investigation that would come off the 75 hours allotted for that week. The average patrol time is usually 62-64 hours per week. The response to calls depends on where an officer is at the time of the call. All data that is collected is evaluated. Major accidents on Route 15 usually take up time and there is a lot of traffic enforcement on Route 15. More than 40% of crashes occur on Route 15. Concerns of certain areas in the township either go directly to the police or BOS. Chairman Lerew asked about the use of radar and it was noted that is not permitted, but they can use certain speed equipment. A breakdown of the fine money was noted with the township getting half of the fine but not the total cost. Zoning Officer Carol Myers asked about time spent on zoning complaints and it was noted that ordinance and zoning violations are somewhat shaky ground but the

police will standby in a supporting role if that individual does not feel safe. Traci Cook extended the EMS's appreciation to the police department.

2. Rhonda Harpster, Tax Collector - Appointment of Deputy Tax Collector Erin Rupp

Mrs. Harpster indicated that Erin Rupp has agreed to be the deputy tax collector for Franklin Township. Mrs. Harpster also indicated that she has a form that needs to be signed by the township.

Motion: Vice Chairman Holder made a motion to appoint Erin Rupp as the township's deputy tax collector. **Seconded** by Supervisor Decker. The motion carried.

Mrs. Harpster stated that there is a mandatory class online she needs to take with a cost of \$200.00 and asked if the township would be willing to pay the cost.

Motion: Vice Chairman Holder made a motion to pay for the class. **Seconded** by Chairman Lerew. The motion carried.

APPROVAL AND PAYMENT OF BILLS

Motion: Supervisor Shambaugh made a motion to approve the bills. **Seconded** by Vice Chairman Holder. The motion carried.

TREASURER'S REPORT

Motion: Supervisor Shambaugh made a motion to accept the Treasurer's Report. **Seconded** by Chairman Lerew. Supervisor Decker noted under State Highway Fund the difference from \$91,834. to \$91,839. monies were moved from Liquid Fuels for interest. The motion carried.

BCO REPORT

A report was submitted of the building permits issued for the month of December. It was suggested to add an extra column showing the cost of the permit.

ZONING OFFICER REPORT

Carroll Myers, Zoning Officer reported on another complaint regarding lights. Under Section 316.A.9.e of the zoning ordinance that directs illumination does not exceed one foot candle beyond the property line. Ms. Myers does not know how to measure one foot candle. It was noted that a light meter is needed and the township will research it.

ORGANIZATION REPORTS

Police – The police report was submitted for review. It was noted that the number of calls have gone down again.

Fire – Mr. Bob Kauffman from Citizens Hose Company gave a report. There were 3 calls in the township for the month of December. The pickle drop on New Year's Eve was successful. He presented a flyer indicating that volunteers are needed.

Chief Whitzel of Franklinton Fire Company was not present but it was noted that he will be coming later. A report had been submitted.

EMS – Ms. Traci Cook presented the EMS report. There were 18 calls in the township for the month of December. There was a brief discussion on holding a CPR class for township residents. The membership drive will begin the second week of March.

Emergency Management – Mr. Laurin Fleming noted that he is working on CERT classes which will be held at the township building. This is an entry level class which will teach how to help during a disaster. Some of the topics that will be discussed are first aid, firefighting, working with animals etc. This class will help how to survive during a major disaster. There was a brief discussion on if the electric grid goes out.

DAA – Minutes were received from the DAA. A letter was received from the DAA seeking information about possible paving of roads where there are manhole covers. It was noted that there will be no paving. A letter will be provided indicating no paving is scheduled.

NYCRCP Transportation – Supervisor Shambaugh stated that there will be a meeting January 22, 2015 at 10:00 a.m. and will be held at the Carroll Township building with PennDOT to discuss program funding, date changes etc.

SUBDIVISION AND LAND DEVELOPMENT

1. Quality Greenhouses & Perennial Farm, Release of Financial Security

The engineer noted that a revised as-built plan was submitted and is adequate; therefore the request from the owner to reduce the financial security is justified at the cost of \$6,996.00.

Motion: Supervisor Shambaugh made a motion to reduce the financial security by \$6,996.00. **Seconded** by Chairman Lerew. The motion carried.

REPORTS

Engineer

1. Stormwater Flooding Issue – Clear Springs Road and Circle Drive

Engineer Heerbrandt noted that an inspection was performed regarding the stormwater flooding problem at the intersection of Clear Springs Road and Circle Drive due to an inadequately sized culvert under Circle Drive. It was noted that completion of the Lobar Land Development project on Circle Drive, located approximately 500' west of the intersection, should greatly reduce the volume of stormwater conveyed from the Lobar property by the roadside ditch on the south side of Circle Drive. The stormwater management facilities proposed for this commercial development should collect stormwater from this site and convey it across the road to the creek through the new culvert proposed at the site. The plan proposes installing a second culvert under Circle Drive and headwalls at either end. The existing culvert appears to be partially obstructed at this time. With the new culvert, any stormwater conveyed under Circle Drive at this point would no longer continue to the culvert at the intersection, therefore reducing the flows to the intersection. It was noted that a HOP may be needed but it is outside of PennDOT's right-of-way.

2. John Westbrook Stormwater Management Plan

Engineer Heerbrandt noted that a site inspection was conducted to determine if the conditions of the temporary certificate of occupancy had been met. There were currently 3 items that needed completed at the time the temporary certificate of occupancy was issued. The first 2 items: 1) roof downspouts installed; and 2) final grading of the driveway to direct runoff into the infiltration berm has been met. The last item is to seed and mulch so that grass could become established and this will be done when the weather allows it.

3. MS4

Supervisor Decker asked about the MS4 permit. Engineer Heerbrandt indicated that he has not heard anything from DEP yet, but has resubmitted information to them and is still waiting for the general permit.

Solicitor

1. Adoption of PSATS Ordinances

Solicitor Shaffer has the 3 ordinances ready for adoption. Ordinance 2015 -1 is for the participation in the health insurance cooperative, Ordinance 2015 – 2 is for the participation in the pension trust, and Ordinance 2015 – 3 is for the participation in the unemployment compensation group trust. It was noted that the ordinances were advertised in the Banner.

Motion: Supervisor Shambaugh made a motion to adopt Ordinances 2015 -1, 2015 -2, and 2015 – 3. **Seconded** by Supervisor Decker. The motion carried.

2. Updates

a. Strayer and Knoebel Plans

Solicitor Shaffer noted that he is still looking at the deeds, but the deeds and the plans are not matching up. An amended plan may be submitted. It is the same with the Wagner plan.

b. Ross Hearing

The hearing for the Ross properties was held on January 13, 2015 before the District Justice. There was a small fine issued and a warning and it was noted that next time it would be a steeper fine. Ms. Myers will be working with the Ross's to clean up their properties. If the properties are not into compliance within 30 days should this issue come back before the Board or go back and be filed again at the District Justice. It was noted that the Board wants to go forward with filings, but Solicitor Shaffer should keep the Board updated. An enforcement notice is a courtesy.

c. Knoebel Plan

Supervisor Decker asked about the Knoebel issue and it was noted that the deeds and plans are different. The southeast corner is short and the breakdown distances are not matching. This could be difficult down the road for a property owner with the intersecting bearing lines. This should be the responsibility of their attorney and surveyor.

d. Merit Property

Supervisor Decker asked about the Merit Property regarding the consolidation deed. It was noted that this is their problem. Merit Properties wants approval of the township to record the deed. Without the consolidation deed if someone would try to sell the 2-acre lot it would be land locked.

Road master

A report was submitted.

Park & Recreation

It was noted that there was no meeting last month. There is in need of another volunteer to sit on the Board. It was also noted that John Flanagan does not want to be reappointed to the Zoning Hearing Board. These vacancies will be advertised.

OLD BUSINESS

There was a brief discussion on stakes being placed along a township road which are in the township's right-of-way and also brush over roadways. Notices are to be sent.

NEW BUSINESS

1. TruGreen Service Agreement

A service agreement from TruGreen was received and it is for the area around the township building only. It was suggested to check with the road crew to see if they felt the treatments are necessary. This item was tabled.

2. Waste Management Service Agreement

A service agreement from Waste Management was received. Vice Chairman Holder suggested changing haulers and contacting Penn Waste on their rates. It was also noted that a letter needs to be sent with 90-days' notice of cancellation. There was discussion on re-negotiating the contract. Supervisor Decker stated that with the Boards agreement that she would contact Mr. Tom Stang at Waste Management. The Supervisors indicated that they have no problem with Supervisor Decker making the call.

CORRESPONDENCE

1. PSATS 2015 Conference

It was noted that all of the Supervisors plan to attend the convention.

PUBLIC COMMENT

1. Job Descriptions

Motion: Supervisor Shambaugh made a motion to adopt the job descriptions as discussed with the revisions being the listed time removed, some wording, and the newsletter. **Seconded** by Chairman Lerew. The motion carried.

2. Joe Winberry, Franklin Glen Condo Homeowners Association

Mr. Winberry noted that approximately 2 years ago the swale at the retention pond was broken down and was repaired, now on the other side of the road the drain system needs work done. It has become overgrown and the homeowners' association is proposing to clean out an area of 20'-25' in the Spring. There was discussion on getting a permit from DEP at the rip rap apron. Currently it is prohibiting the flow of water. It was noted that this sounds like a maintenance activity and no approval is needed from the township.

3. John Westbrook, S. Mountain Road

Mr. Westbrook presented pictures regarding the tire fence which were requested last month. It was noted that once the weather gets warmer it will become a DEP issue. The tire fence is not considered a permanent structure so a permit is not needed. The junk ordinance was briefly discussed.

4. Tim Shughart, Tuckahoe Road

Mr. Shughart indicated that Mr. Berger is still operating the garage. He also made a complaint about the shooting range as they set off a cannon plus automatic weapons. Mr. Berger still has signs on his building indicating an inspection station and emissions. It was noted that if the shooting was an isolated incident then there is no ordinance violation. It was noted that Mr. Berger needs to remove the signs and there needs to be evidence that he is still working from that location. A letter will be sent to Mr. Berger and if he is still operating the business then the zoning officer will investigate. If this is the case it will then go to the District Justice and Mr. Shughart stated that he will testify.

EXECUTIVE SESSION

The Supervisors went into an executive session at 9:14 p.m. with no action to be taken.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary