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**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
November 11, 2015**

**ROLL CALL**

Present were Supervisors Donald Lerew, John Holder, John Shambaugh, 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 conditional use hearing was called to order at 7:00 p.m. Guests and visitors are on the attached sign-in sheet.

**PLEDGE OF ALLEGIANCE AND PRAYER**

Boy Scout Troop 203 led the Pledge of Allegiance and Vice Chairman Holder gave the opening prayer.

**APPROVAL OF MINUTES**

**1. Board of Supervisors Budget Meeting, September 30, 2015**

**Motion:** Supervisor Shambaugh made a motion to approve the minutes of September 30, 2015 as submitted. **Seconded** by Supervisor Sprigg. The motion carried.

**2. Board of Supervisors Regular Meeting, October 14, 2015**

**Motion:** Supervisor Shambaugh made a motion to approve the minutes of October 14, 2015 as submitted. **Seconded** by Chairman Lerew. The motion carried.

**3. Board of Supervisors Meeting with PennDOT – October 20, 2015**

**Motion:** Supervisor Shambaugh made a motion to approve the minutes of October 20, 2015. **Seconded** by Vice Chairman Holder. The motion carried with Chairman Lerew abstaining since he was absent from the meeting.

**PUBLIC COMMENT**

**1. Tim Knoebel, Boy Scout Troop 203**

Mr. Knoebel introduced Jonathan Wirth, Sr. Patrol Leader and Tanner Martin, Assistant Sr. Patrol Leader and the other members of Troop 203. It was noted that they are working on a merit badge. Mr. Knoebel indicated that the scouts would like to clean up the litter along Tuckahoe Road and is requesting that the scouts and the Township work together in an Adopt-a-Road program. The liability issue was noted and the scouts are insured through the Boy Scouts. Some of the members of Troop 203 are also on CERT team with Mr. Laurin Fleming. The service hours along with the equipment, i.e. safety vests, trash bags, gloves, signs etc. were discussed. It was asked if the equipment could be stored at the township. Solicitor Shaffer was given documents submitted by Mr. Knoebel and noted that he will review them.

**2. Bob Eichelberger, Chainsaw Road**

Mr. Eichelberger noted that he had received the letters that were sent to the property owners regarding stormwater management control along with the engineer's report. He questioned what the next step is. It was



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ance since this is on private property, but that the township may do some of the work. Mr. Eichelberger will contact the property owners to see if this could be done.

**3. Kathleen Gingrich, S. Mountain Road**

Mrs. Gingrich first of all thanked the Veterans and also thanked Chairman Lerew and Supervisor Shambaugh for their service to the township. Mrs. Gingrich spoke regarding the Calaman issue in regards to the tires and the court case. The tire issue was checked out with DEP and YCCD. A notice of violation was discussed with the Board of Supervisors and it was noted that this was a criminal matter and a hearing was held before Judge Thomas. Mrs. Gingrich brought up 3 items: 1) concerned with tires then they should enforce an ordinance to the situation; 2) believes the prosecution towards the Calaman was unjust; and 3) concern that the NYCRPD did not do their job with the situation and the trespass of Mr. Westbrook, trespassing is a criminal violation and the BOS should not have taken this issue against the Calaman.

**4. Linda Walker, Lost Hollow Road**

Ms. Walker complained about her neighbor at 233 Lost Hollow Road in regards to the junk on his property that started in 1986. There are several sheds on the property, a burn barrel in the woods, pouring gas and motor oil on the ground which is getting into the water and he is bringing in more junk everyday which includes blacktop. He is also doing another shed and adding onto his home without permits.

**5. Anne Miller, Property Owner**

Mrs. Miller also thanked Chairman Lerew and Supervisor Shambaugh for their service. Mrs. Miller complained about never being notified regarding the Route 15 intersection improvements and the taking of land for the jughandles. She also questioned why are the meetings being held at 10:00 a.m., is this to keep people away? It was asked if the township will get a final vote on the design. The public meeting for discussion with citizens has been changed from December 9 to December 16. Mr. Cummings asked if the engineers will be at the December 16 meeting.

**APPROVAL AND PAYMENT OF BILLS**

**Motion:** Supervisor Sprigg made a motion to approve the bills. **Seconded** by Supervisor Shambaugh. Supervisor Decker questioned the check under Park & Recreation for Terry Dougherty and it was noted that it is a partial payment for the roof repair to the pavilion at Ponderosa Park. The motion carried.

**TREASURER’S REPORT**

**Motion:** Supervisor Shambaugh made a motion to approve the Treasurer’s Report. **Seconded** by Vice Chairman Holder. The motion carried.

**BCO REPORT**

A report was submitted of the building permits issued for the month of October along with a breakdown of the fees.

**ZONING OFFICER REPORT**

The zoning officer’s report was submitted. It was noted that there are 6 property owners in the township that are currently working on cleaning up trash. Ms. Myers noted concern on how aggressive the 1985 ordinance can be enforced. There are currently no terms addressing trash, rubbish etc. It was questioned whether the township



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ed. Other townships have specific provisions for tires and there

**ORGANIZATION REPORTS**

**Police** ó There is nothing new to report at this time.

**Fire** ó Citizens Hose Co. #1 noted that there were 5 calls in the township during the month of October and 41 calls year to date. There has been 220 hours of training with the biggest one at HACC with Franklinton Fire Company and Monaghan Fire Co.

Franklinton Fire Co. noted there were 7 calls in the township during the month of October. Chief Whitzel commented on the meeting with PennDOT on November 4. The biggest concern is with Cabin Hollow Road/Century Lane intersection. Also they are not in favor of the mountable curbs as they would need to slow down and would be blocking 2 lanes of traffic. Chief Whitzel stated that he is waiting for information from PennDOT on corrective actions. There was discussion on having fire protection on the west side of the township. Solicitor Shaffer suggested that the fire companies write a letter to the Secretary of PennDOT with copying the letter to the State Representatives and to have as many signatures as possible. The traffic signal is not a good idea and diverting traffic could become an issue. Pump tests were conducted with the new truck not being able to do the pump capacity. The tanker pump went out, the truck is 23 years old and parts are no longer being made.

**EMS** – A report was submitted. There were 14 calls in the township for the month of October. Specifications for the new ambulance are being finalized.

**DAA** ó The minutes were received.

**Emergency Management** – Mr. Laurin Fleming noted that the EOP is in its rough draft and after the first of the year he would like to set up a workshop meeting to review the draft. Mr. Fleming stated that he still has money left in his budget and would like to purchase a couple of items. One is a hot stick for indicating if wires are hot and a power distribution box to plug multiple cords. The cost is approximately \$650.00 for each item. The CERT team is working on a kick-off meeting on January 9.

**NYCRCP Transportation** – There will be a meeting on November 18 beginning at 10:00 a.m. of the Development Committee and will be held at the Carroll Township building. On December 16 there will be a public meeting regarding the jughandles on the Route 15 corridor to be held at the Northern York Middle School beginning at 5:00 p.m. for plan display and at 6:00 p.m. for public input.

**SUBDIVISION AND LAND DEVELOPMENT**

**1. Yor-Franklinton Cell Tower – Release of Financial Security**

A field inspection was performed on November 2, 2015 for the purpose of verifying that the bonded items were built according to the approved land development plan. Based on the inspection there are 2 minor items remaining unresolved. Therefore, it is recommended the required financial security amount be reduced to \$4,727.50.



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motion to reduce the remaining financial security in the amount dated November 5, 2015. **Seconded** by Vice Chairman Holder.

The motion carried.

**2. 105 Circle Drive Final Minor Subdivision Plan, File #2015-09-14**

The plan depicts the subdivision of a 15.82 acre tract into two parcels with the 239 square foot parcel added to an adjoining parcel. The properties are located along Circle Drive and Bethel Church Road and are located in the Open Space zoning district. The purpose of this subdivision is to correct an encroachment of an existing driveway on an adjoining property. The use of this driveway is dependent on the existence of an easement for the shared portion of the driveway that crosses the F&R Romas LLC property to the south. The shared driveway agreement is still being worked on.

**Motion:** Supervisor Decker made a motion to grant the non-building waiver from Section 316.A.6. **Seconded** by Chairman Lerew. Supervisor Shambaugh stated that it should not be approved as it is not filled out. Supervisor Decker withdrew the motion.

**Motion:** Supervisor Decker made a motion to table the 105 Circle Drive Final Minor Subdivision Plan in order to get more completed information. **Seconded** by Supervisor Shambaugh. The motion carried.

**REPORTS**

**Engineer**

Engineer Heerbrandt noted that he has nothing to report at this time.

**Solicitor**

**1. Conditional Use Hearings – Scott Stilo & Rick Hoffman**

After a brief discussion the conditional use hearings will be heard on December 14, 2015 beginning at 6:00 p.m.

**2. Letter from YCPC – Floodplain Ordinance**

A letter was received from YCPC that the township's floodplain ordinance will be reviewed on November 23 and Solicitor Shaffer asked the BOS if they wanted him to attend. It was noted only if there is an issue.

**3. Executive Session**

A brief executive session will be needed to review the 2 conditional use decisions.

**Road master**

A report was submitted.

**1. Second Driveway – 128 Spring Drive**

Mr. Ronald Jones is requesting a second driveway so he can enter his pole barn. Mr. Jones was granted a variance on his side yard setback. It was noted that with the second driveway he has better sight visibility and it is a safety issue. The original driveway width is approximately 15'. It was asked if Mr. Jones could disconnect the original driveway from the street. It was noted that the second driveway is not creating more traffic.

**Motion:** Vice Chairman Holder made a motion to grant the second driveway. **Seconded** by Supervisor Decker. The motion carried with Supervisor Shambaugh opposing.



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vilion getting a new roof.

**OLD BUSINESS**

**1. Stream at Clear Springs**

Supervisor Shambaugh commented on the stream at Clear Springs with regards to the flooding that occurs at this location. The pipe was cleaned out and Mr. Stough is willing to grant an easement to the township across his property. There was discussion on authorizing the engineer to get a permit, with part of the permit to get rid of the dam up- stream from the culvert in order for the water to flow better. It was noted that part of Mr. Stough's subdivision plan he is granting an easement for the drainage. The size of the culvert needs to be looked at to see if it is an obstruction in the flow and to possibly enlarge the culvert.

**NEW BUSINESS**

**1. Holding Tank Ordinance**

It was noted that the holding tank ordinance needs to be amended to include annual inspections. Mrs. Demey of Range End Road is putting in a holding tank for her ice cream business but the ordinance needs to be amended or an agreement between Mrs. Demey and the township to have the annual inspections would satisfy DEP.

**Motion:** Supervisor Shambaugh made a motion to authorize Solicitor Shaffer to amend the holding tank ordinance to meet DEP requirements. **Seconded** by Vice Chairman Holder. The motion carried.

**Motion:** Supervisor Shambaugh made a motion that the Supervisors approve the agreement with Mrs. Demey conditioned upon the Solicitor's approval. **Seconded** by Chairman Lerew. It was asked if any information came from the SEO. The motion carried.

**CORRESPONDENCE**

**1. L.A.B.S. Analytical Services for 2016**

A proposal for services for 2016 was received with prices the same as last year except the sample collection went down \$5.00, but with the new law in effect the testing will be done every month.

**Motion:** Supervisor Shambaugh made a motion to accept the proposal for services for 2016 for Franklin Township and Ponderosa Park for coliform only. **Seconded** by Chairman Lerew. The motion carried.

**PUBLIC COMMENT**

**1. Kevin Cummings**

Mr. Cummings commented on the floodplain ordinance and FEMA maps. It was noted that the township will be adopting the new maps and requirements of how to build in a floodplain area. It will be the zoning officer who will be enforcing this since it is in the zoning ordinance. The recommended language is from FEMA. The current ordinance will not be adequate as there are more restrictions, i.e. size of accessory structures, terminology, and more waterways. It was noted that emergency funding from FEMA would be withheld if the township does not participate. The maps drive the rates that a homeowner will pay for flood insurance. There was further discussion on the pros and cons of adopting this ordinance.

**2. Kathleen Gingrich**

Mrs. Gingrich stated on the website there is a PDF symbol on the agendas and minutes and it blocks out some of the words and she asked that this be taken off.



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ve session at 10:20 p.m. with no action to be taken and then

adjourned the meeting.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary