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**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
September 9, 2015**

ROLL CALL

Present were Supervisors Donald Lerew, 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 7:03 p.m. Guests and visitors are on the attached sign-in sheet.

PLEDGE OF ALLEGIANCE AND PRAYER

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

APPROVAL OF MINUTES

1. Board of Supervisors Regular Meeting, August 12, 2015

Motion: Vice Chairman Holder made a motion to approve the minutes of August 12, 2015 as submitted. **Seconded** by Chairman Lerew. The motion carried with Supervisor Decker abstaining since she was absent from the meeting.

PUBLIC COMMENT

1. Rhonda Harpster, Tax Collector

Mrs. Harpster informed the Supervisors that the tax collectors are using a new software program with only a couple of months of free support. Mrs. Harpster asked if the township is willing to pay the \$500.00 for the first year of unlimited support. Without the paid support it would cost \$75.00 per hour anytime she would need to call for help. It was noted that it is through TGB Software and it would run September 2015 through August 2016.

Motion: Supervisor Decker made a motion to pay the \$500.00 for the support for the first year. **Seconded** by Vice Chairman Holder. The motion carried. It was noted that this is for anyone in this position for the township.

2. Ken Swormley, Franklintown Road

Mr. Swormley made a comment on the Route 15 meeting that was held today at the Carroll Township Municipal Building. It was questioned why there hasn't been a public input meeting yet. It was noted that the next meeting is scheduled for November 18 at Carroll Township, but that each township can do their own public meeting before the November 18 meeting. There was discussion on the jughandles that are being proposed. It was noted that all of the intersections are lined up to do jughandles and possibly a traffic signal. Charts are to be sent out at a future date. Latimore Township has had no input in this process. There was discussion on the traffic signal that is proposed for Golf Course Road/Range End Road and Route 15 as there also needs to have signal devices installed. It was also noted that any intersections that need further discussion, such as Cabin Hollow Road, Hickory Road and Clear Springs Road, need to be forward to Mr. Will Clark of the YCPC. This would also include emergency vehicles since jughandles are left turns only and no one would be



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Whitzel stated that the State needs to think about all emergency on the west side of Route 15 may need to be considered.

APPROVAL AND PAYMENT OF BILLS

Motion: Chairman Lerew made a motion to approve the bills. **Seconded** by Supervisor Sprigg. The motion carried.

TREASURER’S REPORT

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

1. Set Date for Budget Meeting

After a brief discussion the date of September 14th was set for the first budget meeting beginning at 7:00 p.m.

BCO REPORT

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

ZONING OFFICER REPORT

The zoning officer’s report was submitted.

ORGANIZATION REPORTS

Police ó Supervisor Sprigg indicated there is nothing new to report except that next Tuesday he will receive the figures on the new police contract and that the Supervisors should expect it to go up between 3% and 3.5%. There was a brief discussion on the police cracking down on the speeders on Route 15. It was questioned if the public can attend the police meetings and it was so noted.

Fire ó Chief Whitzel gave the following report. There were 7 calls in the township during the month of August and year to date ó 87 calls. The first steering committee meeting between the fire companies and municipalities will be held on September 16 beginning at 7:00 p.m. Chief Whitzel indicated that they need a primary and alternate from the township at the meetings as support is needed from the municipalities. This is between Franklinton Fire Company, Citizens Hose and Monaghan Fire Company. It was noted that these meetings are not open to the public. It was questioned whether or not a burn ban is needed since the weather has been dry. This will be discussed, if needed, at the September 14th budget meeting. Regarding the dry hydrants it was noted that all of the materials are in and that Chief Whitzel is just waiting for a phone call.

There was nobody here from Citizens Hose, but a report was submitted.

EMS – A report was submitted.

DAA ó Nothing was submitted.

Emergency Management – There was nothing to report.

...ed at the beginning of the meeting but Supervisor Decker noted ... regarding the intersections that need further discussion ó Clear Springs Road, Hickory Road and Cabin Hollow Road along with the proposed traffic signal.

SUBDIVISION AND LAND DEVELOPMENT

1. Lobar, Inc. – Request for Financial Security Reduction

Engineer Heerbrandt stated that he has received the ðas-builtö plan for the improvements for the Lobar Land Development project on Circle Drive. This was the last remaining item required from their financial security, so it is recommended that the remaining financial security be released. The amount of the financial security is \$2,812.50.

Motion: Supervisor Sprigg made a motion to release the financial security of \$2,812.50 for Lobar, Inc. **Seconded** by Vice Chairman Holder. The motion carried.

2. The Estate of John Hoffman, Final Minor Subdivision Plan, File #2015-07-06

This plan is to subdivide a 31.8962 acre tract into 2 lots with an existing single family dwelling on one lot. The property is located along Range End Road and is located within the Residential and Mixed Use zoning districts. There will be one new dwelling which will be connected to the public sewer. The applicant has been talking with DAA. Supervisor Sprigg noted that the Planning Commission did recommend approval of the plan with one of the conditions being that a letter of agreement is signed by DAA and the comments from the engineer's letter be addressed. There were originally 4 waiver requests but the plan was revised and the one waiver from Section 4.101.C.2.A road right-of-way width requirement is no longer needed. The waiver request from Section 4.101.C.2.B road improvements requirement is for Lot 2 only, as is the same for waiver request Section 415 recreation fees. Supervisor Sprigg reviewed with the Board what the Planning Commission's actions were and the following motions were made:

Motion: Supervisor Sprigg made a motion to approve the waiver request from Section 306.A ó plan scale requirements. **Seconded** by Chairman Lerew. The motion carried.

Motion: Supervisor Sprigg made a motion to approve the waiver request from Section 415 ó recreation fee for Lot 1 only. **Seconded** by Chairman Lerew. The motion carried.

Supervisor Sprigg noted that the waiver request from Section 4.101.C.2.B ó road improvement requirements for frontage along Lot 1 was recommended for denial by the Planning Commission.

Motion: Supervisor Sprigg made a motion to deny the waiver request from Section 4.101.C.2.B for road improvement requirements. Discussion ensued as this is a large portion of roadway that is not being developed. It was suggested that a note be placed on the plan that if there is any further development, i.e. for lot #1 the road improvement fee would be applicable. Supervisor Sprigg withdrew his motion.

Motion: Supervisor Sprigg made a motion to approve the waiver request from Section 4.101.C.2.B for road improvement requirements for frontage along Lot 1. **Seconded** by Vice Chairman Holder. The motion carried.

Motion: Supervisor Sprigg made a motion to approve the Estate of John Hoffman Final Minor Subdivision Plan subject to the engineer's letter that the owner's acknowledgement and related certifications by



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planning, property corner markers are installed or bonded, the by Chairman Lerew. The motion carried.

REPORTS

Engineer

Engineer Heerbrandt had nothing to report at this time.

Solicitor

1. Update on Floodplain Ordinance

Solicitor Shaffer noted that with the zoning amendment to the floodplain section that the township will be in compliance with the new maps which will only be minor changes. In the zoning ordinance it is the changing the year of the maps. The notice of change will be forward to the Planning Commission and the County at least 30 days prior to the public meeting. There should be public discussion in November and then pass the ordinance in December. Supervisor Decker noted that at a meeting she attended the engineers were doing the work on the amendment. It was noted that DCED will also be reviewing the amendment. This will be re-visited at the workshop meeting.

2. Set Date for Conditional Use Hearing

Before setting the date for the conditional use hearing, Solicitor Shaffer noted the Zoning Hearing Board meeting on September 21 is regarding the Davis/Young issue and asked if the Supervisors want him to attend. It was noted that what is there now is permitted. It was noted that the Solicitor should not attend the ZHB meeting. It was also stated that the Calaman hearing on the tire fence will be held September 24.

The Conditional Use hearing is set before the next meeting of October 14 beginning at 6:00 p.m.

3. Executive Session

It was noted that an executive session is needed after the meeting with no action to be taken.

Road master

A report was submitted.

1. PA One Call Training

There is a fall excavator training program coming up on October 7 that the road crew would like to attend. It was approved that all 3 of the road crew attend this training.

2. Quotes for Pallet Forks

The road master received 2 quotes for the purchase of a pallet fork, one from Messickø and the other from Bobcat.

Motion: Chairman Lerew made a motion to purchase the pallet fork from Messickø at a cost of \$875.00. **Seconded** by Vice Chairman Holder. The motion carried.

Park & Recreation

1. DEP Workshop

Correspondence was received from DEP for an upcoming workshop for procedures for seasonal public water systems on September 16. The road master is requesting authorization to attend this workshop. After a brief discussion it was suggested that both the road master and Vice Chairman Holder will attend the workshop.

g paths are to be paved.

OLD BUSINESS

Mr. Cummings of Chainsaw Road stated that last year at this time he had requested a horseshoe pit be placed at the recreation area at Haarøs Crossing and it was approved but it has yet to be constructed. The road master had informed him that no one told him where it is to be placed. It was suggested to have the Chairman of the Park & Recreation Board get a hold of the road master to verify the placement of the horseshoe pit.

NEW BUSINESS

1. Trick or Treat Night – Set Date

It was noted that the surrounding municipalities have been contacted and they have set the date for Trick or Treat Night to be October 29, 2015 from 6-8 p.m.

Motion: Vice Chairman Holder made a motion to set the date of Trick or Treat Night for October 29, 2015 from 6-8 p.m. **Seconded** by Chairman Lerew. The motion carried with Supervisor Decker abstaining.

CORRESPONDENCE

1. Correspondence from Bob Eichelberger, Chainsaw Road

Correspondence was received from Mr. Eichelberger regarding the sedimentation problem that is coming across Chainsaw Road has not improved. It was noted that letters were sent in July to the offending property owners, but with the rain storms it is repeatedly sending enormous amount of sediment downslope and damaging the properties of others. It was noted that the Township originally approved the current lots and their compliance with all local and state regulations and is now obligated to see that these are met. The Board concurred that they understand the situation and that the township engineer should look into this along with Supervisor Shambaugh. It was noted that the Township cannot force a property owner on private property to correct this situation. On the roadway and right-of-way the Township maintains the control of the water run-off. It was noted that breakers were put in and this was volunteered by the property owners. The township engineer stated that the township cannot enforce State regulations. It was suggested to call YCCD and have them look at this too, but it was noted that the call should be made by Mr. Eichelberger and have township support. A drain pipe was installed by the township. There was a suggestion of installing a collection box. It was the consent of the Board to send Supervisor Shambaugh, the township engineer and road master to inspect this situation. Supervisor Decker recommended that a letter be sent to Mr. Eichelberger regarding the action taken.

2. Health Insurance Renewal Information

Renewal information on the health insurance was received from the insurance broker. It was noted that this will be discussed at the budget meeting. It was also noted that a decision is needed by the middle of October.

3. York County Association of Townships of the Second Class Convention

Correspondence was received regarding the convention. Chairman Lerew noted that if any Supervisor wishes to attend the fees will be paid by the township.

4. Discussion on Task Force Committee

Solicitor Shaffer noted that he had contacted PSATS with regards to forming a sub-committee to review the steep slope conversation overlay area. With the Sunshine Act no more than 2 Supervisors can be on the committee but they would then report back to the rest of the Supervisors on the progress of the meetings. The

members of this committee. There was discussion on what type of there be a certain fund or just go through the BOS for a vote. It was noted that there are some colleges and universities that could supply the township with free information. The advertising responsibly would be the townships and it was suggested to come up with a schedule of meeting dates to be advertised all at once. The township would need to get a list of residents who are willing to serve on the committee and then have the BOS vote on who is to serve on the committee along with which Supervisors. It was noted that other municipal zoning ordinances go from 15% to 25% steep slope. There was a brief discussion on the formation of the committee or does the BOS want to wait until the next workshop meeting. It was suggested that the committee needs to be neutral on this issue.

Solicitor Shaffer stated that there needs to be at least one meeting before the next regular meeting to discuss the floodplain ordinance.

There was discussion on the importance of having a data driven ordinance and to have expert information, i.e. soil studies, USGS maps etc. Mr. Cummings again that he cannot tell the zoning officer how to do her job. It was also noted he asked the Supervisors to show him in the current ordinance where in Section 205.C where it addresses less than 15%. Solicitor Shaffer noted that he cannot tell the zoning officer how to do her job. It was also noted that all zoning is a taking. The committee will need to be set up with checks and balances.

There was discussion between the Supervisors and the audience members on both the steep slope issue and the floodplain ordinance.

At this time Mr. Yerger discussed his email which is attached as part of the minutes. It was noted that the steep slope issue will be discussed after the election.

The workshop meeting to discuss the floodplain ordinance is scheduled for September 30, 2015 beginning at 7:00 p.m.

PUBLIC COMMENT

There was no public comment at this time.

EXECUTIVE SESSION

The Board of Supervisors went into an executive session at 10:40 p.m. with no action to be taken. The Supervisors after their executive session adjourned the meeting.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary