

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
April 13, 2016**

ROLL CALL

Present were Supervisors John Holder, David Sprigg, Naomi Decker, Kevin Cummings and Michael Ryan. 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 meeting was called to order at 7:04 p.m. Guests and visitors are on the attached sign-in sheet.

PLEDGE OF ALLEGIANCE AND PRAYER

Chairman Holder led the pledge of allegiance and gave the opening prayer.

APPROVAL OF MINUTES

1. Board of Supervisors Regular Meeting – March 9, 2016

Motion: Supervisor Sprigg made a motion to approve the minutes of March 9, 2016. **Seconded** by Chairman Holder. Supervisor Decker made the following corrections: On page 3 under Zoning Officer Report under #3 it was noted “files from previous employment seem to be missing”; page 3, paragraph 2 under Zoning Officer Report after the word pass add “the cost”; page 4 last paragraph change “township” to “landowner”; page 6 under Park & Recreation change “foundations” to “fountains”; and page 7 under Public Comment change the last sentence to “Mrs. Demey could proceed with no action required” . The motion carried.

Chairman Holder at this time announced that the Supervisors had an executive session with no voting being taken and it was noted that the tapes from last month’s meeting are to be given to Supervisor Sprigg.

ORGANIZATION REPORTS

Police – Supervisor Sprigg noted he has nothing to add to the report except that the calls are down 9 %. It was noted that the all of the Supervisors had received a staffing study which was prompted by another township reducing their hours. It was noted that if the township would purchase another unit from NYRPD it would cost \$41,145.30. The police contract is coming up for renewal. A 10 hour block is considered 1 unit. Chief Bentzel is willing to come and talk to the Supervisors and the public to explain this.

Fire – Chief Whitzel from Franklintown Fire Company presented his report. There were 7 calls in the township during the month of March. The tanker was purchased on Wednesday went into service on Saturday.

Chief McClintlock from Citizens Hose #1 presented his report. There were 5 calls in the township during the month of March. There was the annual

Hazmat training in March and there will be other training classes in April and May. The upcoming events are an auction on April 23 and an antique yard sale on May 7. Also in May is Mayfair and Picklefest. At this time Chiefs Whitzel and McClintlock, EM Director Laurin Fleming and Supervisor Andy Ritter from Carroll Township were asked to come forward. Supervisor Ryan asked the following questions:

1. Please explain the Chief’s role and commitment to the community? - To serve and protect.

2. Do you believe the Board is taking the proper steps in the community's best interest? - Yes.

It was noted that Chief McClintock was given only a weeks' notice of the resignations. It was noted that there were 2 full-time and several part-time EMT's that resigned. There is concern of the Board to provide public safety for the citizens. It was questioned why the resignations, it was reported that 11 of the 17 EMT's resigned and it was noted that the Board of Directors runs the EMT not the Fire Chief.

It was noted that the township needs to know of these issues and it was not right the way the information was received. This information is needed in order to insure public safety. It was noted that a letter will be forthcoming. There was a personal matter meeting held and Mr. Keith Hecket was appointed the EMS Supervisor. Mr. Hecket is interviewing for the open positions. Shifts are being covered. The MICU is the primary class one unit that deals with life threatening situation and there is a medic and EMT assigned to the MICU. The functions of the BLS truck were explained. Mr. Fleming indicated that he maintains awareness in order to schedule large scale events and to coordinate resources. It was noted that the Board is aware of the township's concerns.

Regarding the service records / daily logs of the new fire engine this information needs to be kept in house and those copies need to be made. Supervisor Decker stated that the township needs an agreement with regards to the tanker regarding the \$35,000.00 donation that was made since this is a vested interest. Solicitor Shaffer is to write this agreement. The tanker was titled to Franklinton Fire Company.

At this time the issue under the Treasurer's Report, New Fire Engine Billing was discussed. The township has an agreement for fire services and it is indicated that Franklinton Borough is to pay \$3,000 annually for a ten year term of the loan for a total of \$30,000. Franklinton Borough is to be contacted regarding this.

EMS – No report was submitted.

DAA – The minutes were received.

Emergency Management – Mr. Laurin Fleming noted that this is National Volunteer Week and thanked all the people who volunteer their time. The draft EOP was submitted and Mr. Fleming is requesting a workshop meeting is needed in order to review. On September 17 there will be a township drill regarding the running of an emergency operations center and he is requesting that the Supervisors and township personnel try to attend. Mr. Fleming is also working on internet for the emergency operations center and suggested getting a hot spot. The CERT team is working with a church for the use of their kitchen; this is to prepare food at the church instead of in the field. Mr. Fleming noted that Mr. Larry Harbold is no longer with the Franklinton Borough as their emergency management coordinator and that Mr. Fleming will try to help out if needed. The workshop meeting for the review of the EOP was set for May 23 beginning at 7:00 p.m.

Route 15 Transportation – There was nothing to report at this time.

PUBLIC COMMENT

1. York County Planning Commission - Felicia Dell, Director, Stormwater Initiatives

Ms. Dell, Director of the York County Planning Commission gave a presentation on stormwater initiatives. Some of the topics addressed were the watersheds, impaired waters, sources of pollution and how to handle them, the regional maps of the Chesapeake Bay watershed, participating municipalities, current regional investment, the stormwater authority feasibility study results, feasibility study goals, process and findings, and the benefits of a regional stormwater authority. The York County Board of Commissioners has approved the feasibility study. It was noted that this presentation is being given to all York County municipalities and that the YCPC needs to hear from these municipalities in order to address any issues.

Bridge on Century Lane – Discussion with Lobar

At this time representatives from Lobar discussed the Keystone Purchasing Network. It is a 5-year cooperated purchasing program and Lobar was the low bidder for the southcentral region. It is being determined if this helps to eliminate the steps of advertising and bidding. The township engineer will do a site evaluation. The scope of the project determines how it is handled. Supervisor Decker asked if there a document showing that Lobar is the low bidder. The township would need to join the membership but it is free. Supervisor Decker suggested keeping the bridge one-lane as she is concerned that there could be an issue with speeding by the park. It was suggested to have the Solicitor look into the Keystone Purchasing Network and report back to the Supervisors. In the meantime the township engineer will start with some preliminary work and to also look into any permits the township may need to apply for.

Ordinance on Snow Removal

Residents from the Twin Hills development were in attendance to discuss the proposed ordinance that is being considered for adoption tonight. It was noted after the snow storm in January the sidewalks were not being cleaned for children walking to school. This ordinance affects the elderly and disabled. There was discussion on only giving residents 24 hours to clean the sidewalks. Extra time is needed or at least a warning letter. It was suggested to re-word the ordinance and not pass it tonight. It was noted that 24 hours is by State law.

Ordinance on Holding Tanks

There was discussion on this proposed ordinance and Section 10.F was discussed. Solicitor Shaffer stated that the changes that were made are changes that meet DEP's minimum standard in order for the township to issue a holding tank permit. It was questioned if a homeowner could use who they want as far as they are a licensed by the State and not the Board's agent.

APPROVAL AND PAYMENT OF BILLS

Motion: Supervisor Sprigg made a motion to approve the bills. **Seconded** by Vice Chairman Cummings. Supervisor Decker questioned the rental of equipment that is over \$2,000. It was noted that it was a repair on the 621 F Loader. It was questioned if this was under warranty. The motion carried.

TREASURER'S REPORT

Vice Chairman Cummings commented on Act 72 indicating that no more that \$250,000 can be deposited in any account. Mrs. Williams noted that she had contacted Melissa at PSATS. It was noted that if the township received a letter of collateralization from Members 1st and kept it on file that that should be sufficient. It was suggested that the Solicitor review this letter from the bank official. There was discussion on opening another fund or even at a different bank. Supervisor Sprigg noted that under the General Fund 411.57 that the fire truck should be re-titled to tanker in order to avoid any confusion.

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

Audit Report

Vice Chairman Cummings asked if the Board of Auditors, both elected and appointed, if they get a copy of this report. It was noted that if they want a copy they should request it. It was noted that Mrs. Williams and Smith Elliott & Kearns will review the report.

Resolution for DAP-01 (Reimbursement of Snow Storm)

A resolution needs to be adopted for the reimbursement of the expenses during the January snow storm. The resolution is to make the Treasurer as the agent.

Motion: Supervisor Decker made a motion to adopt Resolution 2016-02, a resolution of the Board of Supervisors of Franklin Township, York County, Pennsylvania, appointing Pamela J. Williams, Treasurer, as the Applicant Agent and hereby is authorized to execute for and in behalf of Franklin Township, a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707). **Seconded** by Supervisor Sprigg. The motion carried.

Motion: Supervisor Decker made a motion to authorize Pamela J. Williams to execute the Public Disaster Assistance Agreement between the Commonwealth of Pennsylvania and Franklin Township. **Seconded** by Vice Chairman Cummings. The motion carried.

BCO REPORT

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

ZONING OFFICER REPORT

The zoning officer submitted his report.

SUBDIVISION AND LAND DEVELOPMENT

Warren Fletcher Subdivision – On-lot Sewage Disposal System

This is for verification of prior testing and Mr. Vince Elbel, SEO has already approved this. DEP needs the form signed and returned to them. There is no secondary system and the easement has been corrected.

Motion: Vice Chairman Cummings made a motion to approve the DEP form for verification of prior testing. **Seconded** by Chairman Holder. The motion carried.

Gerald & Marjorie Jones Land Development Plan – Field Change

Mr. Bill Eichelberger, ECI, presented this plan and noted that there needs to be a minor change to the footprint. The corridor was enlarged approximately 1,500 s.f. but it did not change the stormwater management. It was noted that the new footprint needs to conform with the building codes and to the Zoning Hearing Board's decision or go back to the Zoning Hearing Board. It was noted that the next ZHB meeting is May 16. It was noted that the approved plan will be recorded and that Mr. Jones will go back to the ZHB in May.

David & Sally Young – Consolidation of Parcels, Waiver from Formal Submission

Mr. Todd Lyons, Surveyor, presented a plan showing the parcels that Mr. & Mrs. Young wish to consolidate. It was noted that the Young’s had purchased the 3 parcels years ago and the parcels were to be combined into one deed and one tax parcel number, but it was never done through an attorney. It was noted that the Young’s wish to request a waiver of a formal submission and that the Township submit a letter to the County noting this request. The Township does not have provisions on a reverse subdivision. Mr. Lyons did submit a preliminary deed consolidation. Once the plan and deed are recorded the township will receive a copy.

Motion: Chairman Holder made a motion to approve the plan and provide a letter. **Seconded** by Supervisor Decker. The motion carried with Supervisor Ryan abstaining.

Estate of John Hoffman Final Subdivision Plan, Road Improvements

Mr. Todd Lyons was present to represent this plan. This subdivision plan was previously before the Supervisors and was approved with conditions that recreation and road improvement fees are paid before the recording of the plan. A proposal was submitted to the Township which is a corrected one in the amount of \$11,500.00 which the applicants indicated they cannot afford and would the township accept a fee in lieu of. The Township Engineer is ok with the cost. A waiver was already given on the reduction of the road improvements with the applicant only doing the road improvement on the lot that is to be built on. The applicant is requesting that this be deferred until the property is improved. It was noted that this is a minor plan in order to settle the estate and not a large development plan. It was noted that Warrington Township is amending their SALDO that any minor subdivision plans 3 lots or less they are eliminating recreation and land improvement fees. It was noted that no action can be taken to reduce the amount of the road improvement fees.

REPORTS

Engineer

The engineer indicated that he has nothing to report at this time.

Solicitor

Holding Tank Ordinance

There was discussion on Section 10.F of this ordinance as it states “permit the Board or its agent, and only the Board or its agent, to inspect holding tanks on an annual basis” and again this came from DEP. It was noted that the township would have a better handle on the holding tanks if they inspected them. Supervisor Decker indicated that she did not see a problem with this. The key part of the ordinance is the annual inspection. Is the township paying for this or this there a flat fee? It was noted that this needs to be clarified.

Motion: Vice Chairman Cummings made a motion to table the Holding Tank Ordinance until Section 10.F is clarified and the fees. **Seconded** by Chairman Holder. This will need to be brought back for authorization to advertise. The motion carried.

Sidewalk Ordinance

There was discussion again on this ordinance in regards to the fees and hours and how the word “shall” is interpreted.

Motion: Supervisor Ryan made a motion to adopt Ordinance 2016-01 as it stands. **Seconded** by Vice Chairman Cummings. Vice Chairman Cummings did note concern with Section 5 – Enforcement. Should

there be a lower fine and what if a property owner challenges the fine. Time is also a concern. The motion failed with Supervisors Holder, Sprigg and Cummings opposing.

Motion: Vice Chairman Cummings made a motion to have a \$300.00 fine and have the sidewalks cleared within 48 hours. The motion was withdrawn.

Motion: Vice Chairman Cummings made a motion to have a \$300.00 fine and keep the hours at 24. Discussion ensued and there was no second so the motion failed.

Motion: Chairman Holder made a motion to reduce the fine to a maximum of \$500.00 and the hours at 36. The motion was withdrawn.

Motion: Chairman Holder made a motion to keep the fine at \$1,000.00 and have the hours at 36. **Seconded** by Supervisor Sprigg. The motion carried with Supervisor Ryan opposing.

Set Date for Conditional Use Hearing

The township received an application for a conditional use hearing for a cottage industry in the open space zoning district. It was decided to hold the hearing at 6:30 p.m. before the May 11, 2016 meeting.

Executive Session

An executive session will be needed at the end of the meeting.

Road master

Bridge on Century Lane

It was noted that the township needs to get information, fact finding, in order to either repair or replace the bridge on Century Lane. It was noted that the bridge will need to be eventually replaced. Mr. Heerbrandt will start on the permits with work that will need to be done on the creek as there are flood issues at this time. A box culvert was suggested. The engineer will also proceed with the scope of work. Lobar can do a design build, but it was noted that a decision needs to be made on either the repair or replacement. It was suggested to repair now but to budget to replace the bridge at a later date. The permitting process for a repair is simpler.

Motion: Supervisor Decker made a motion to have the engineer look into the design of the bridge. There was discussion on whether the bridge will be 1 or 2 lanes. There was a site inspection done by the township and structural engineers. The motion was withdrawn.

Motion: Supervisor Ryan made a motion to have the engineer do the scope of work, design of work for a 2 lane bridge and to apply for any necessary permits with a cost evaluation. **Seconded** by Chairman Holder. The motion carried.

Purchase of Pressure Washer

There was discussion on which pressure washer to purchase.

Motion: Vice Chairman Cummings made a motion to purchase the Northstar 2.5 GPM, 3000 PSI with the Honda engine at a cost of \$699.00. **Seconded** Chairman Holder. The motion carried.

Lake Lea Drive – Water Issue

It was noted that Mrs. Coulson called and asked to be advised of what is going on. The engineer did review KPI’s draft which recommended enlarging the drainageways. There were some concerns with the permitting that would be needed. It was noted that the waterway looks like a seasonal creek. In the proposal it noted changing the width of the drainageway from 8’ and in some places up to 60’. The drainageway is on private property. Mr. Heerbrandt stated that he is trying to contact Tiffany Crum, YCCD and DEP to get information from them since they are at the meetings. It was noted that the township is not going onto the Miller’s property.

323 Robin Hood Drive, Joseph Bodisch – Sewer Manhole

Mr. Bodisch indicated that his neighbor has tied a lateral into DAA’s main. A manhole was to be put in as there was a cut but it has been sealed back up. Mr. Sheldon Williams from DAA was contacted. It was suggested that the township charge for the hook-up fees. It was noted that the township is not getting involved with any infrastructure. This is a DAA decision. DAA had noted that there will be a lateral hook-up and a maintenance agreement. Mr. Bodisch stated that he is hooking into his neighbor’s 8” lateral.

Park & Recreation

It was noted that the baseball and soccer teams are talking regarding their games and are working things out with the use of the fields. The lighting rods for the pavilions are being looked at. Supervisor Ryan stated that he has cut trees, benches made, and the tables are out. The horseshoe pits and basketball hoops at the Century Lane Park need work. The Park & Recreation meeting on the 19th will be held at Ponderosa Park. It was noted that Giant donates park benches.

OLD BUSINESS

At this time Chairman Holder apologized for his decision for the monies spent on the plaques without the Board voting and proceeded to pay for the plaques with his personal check.

NEW BUSINESS

Community Service Resolution

A township resident had requested if the township would consider letting people who were sentenced to do community service. This was checked out with District Magistrate Thomas and he suggested not doing it. The probation office in York County was also contacted but the township did not hear back from them.

CORRESPONDENCE

It was noted that the township received a complaint letter against the tax collector. This issue has been resolved.

A letter was received from the York County Commissioners that they are considering putting an end to the payments to tax collectors that serve as enumerators for the per capita tax. Currently the county pays approximately \$8,500 to the elected tax collectors that keep track of residents in an effort to accurately levy the per capital tax for the municipalities and school districts. These payments have been made despite a 1994 motion eliminating the position of enumerator in all boroughs, townships, cities and school districts, except those taxing districts which chose to continue the position and fund the costs.

The county will no longer be maintaining the records. It would be up to the township to collect the tax and maintain the records. It was noted that this needs to be looked into and the Treasurer will do this.

PUBLIC COMMENT

Terry Hoffman, 120 Century Lane

Mrs. Hoffman asked the Supervisors if they know what is going on and have been advised prior to the meetings.

EXECUTIVE SESSION

The Board of Supervisors went into an executive session at 12:15 a.m. with no action to be taken.

ADJOURNMENT

The Board of Supervisors came out of the executive session at approximately 12:45 a.m. and adjourned the meeting.

Respectfully submitted,
Nancy Zentmeyer
Township Secretary