

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
August 10, 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 7:03 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

Board of Supervisors Regular Meeting – July 13, 2016

Motion: Supervisor Sprigg made a motion to approve the minutes from July 13, 2016. **Seconded** by Vice Chairman Cummings. Supervisor Decker stated that she made only a few minor changes. The motion carried.

Board of Supervisors Workshop Meeting – July 20, 2016

Motion: Vice Chairman Cummings made a motion to table the minutes of July 20, 2016 until after the executive session. **Seconded** by Supervisor Decker. The motion carried.

TRASH HAULERS – DISCUSSION WITH THE REPRESENTATIVES

Representatives from Waste Management, Republic, and Penn Waste were in attendance to answer questions from the Supervisors and members of the audience. There was discussion on the following:

1. Having a municipal contract.
2. A safety factor with having 1 truck on the roads instead of multiple trucks from different trash haulers.
3. Better buying with a contract.

The representatives asked what is the township looking for and noted that they are willing to sit down with the Supervisors to show what they offer.

Carts could be supplied for both trash and recycling with bulk items also being picked-up. Different recycling items such as electrical, batteries and yard waste were discussed. Other issues discussed was the option of opting out, (i.e. not mandatory to participate); do either a 3 or 5 year contract but if the township did a 1 year contract that could put the cost higher.

Vice Chairman Cummings stated that a concern he has with a single hauler is that it should not mandate service as he will not vote for that. The tag and bag option is also available. If a resident uses the opt-out clause they cannot contract with another hauler to come in and pick up their trash.

Chairman Holder suggested that the township receive checklists from each of the haulers for the services they provide. There was discussion on low vs. high volume rates with regards to how much someone uses the services. Supervisor Decker questioned if the recycling center would still be able to operate and it was so

noted. Having an electronic drop off without having a contract with one hauler can be done. Supervisor Decker questioned what would happen to a resident if they did not pay their bill. It was noted that their trash would be stopped after 45 days and the bill would be sent to a collection agency. It was noted that haulers do not put liens on anyone's property. There were questions from the audience regarding price increases; fuel surcharges etc. The last time this subject was approached there was a survey done and 50% wanted one hauler and 50% wanted to choose their trash hauler. The township needs to know what the majority wants now.

ORGANIZATION REPORTS

Police – Supervisor Sprigg noted that with the figures on the YTD for 2016 and YTD for 2015 the calls have gone down 1.7%. That between the periods of April 1 – July 21 of this year the police has issued 104 citations on township roads other than Route 15 and 200 citations issued on Route 15.

Fire – Citizens Hose noted they had one call in the township during the month of July.

Chief Whitzel from Franklinton Community Fire Company noted they had 9 calls in the township during the month of July. On July 29 there was a youth impact project at the school. The fire company participated in the National Night Out. It was noted that Citizens Hose and FCFC met and voted to merge and consolidate the 2 companies. The vote was as follows: Citizens Hose – 13 yes / 4 no and FCFC – 8 yes / 2 no. The new name will be Northern York Fire, Rescue & EMS. DCED has helped the fire companies through this process. It is noted that both fire companies are committed to proceeding forward with the merger process. There was discussion on the tanker contract. It was thought that the money was given with no strings attached but the fire company will give the township whatever they want. They are re-negotiating the contract for the rescue truck. The attorney is to attend the meetings and will be providing a business plan and a proposed budget, which needs to be given to the township. The buildings and equipment are to be appraised. Mr. Frank Wirth is chairing the committee and they will be moving forward. Chairman Holder noted that regarding the agreement with the tanker, in the event the merge dissolves the township should have a say as to where the tanker goes. Discussion ensued.

EMS – A report was given by Keith Heckert, EMS Operations Manager. There were 23 calls in the township for the month of July. There were 4 missed calls with one being a third call and 3 were after hours for the BLS, with Adams County responding and the MICU from Carlisle. A percentage report was also submitted. The number of personnel has not changed.

DAA – No minutes were received.

Emergency Management – Mr. Fleming stated that the corrections to the EOP have been made and it is ready for signatures. On September 17 there will be a drill exercise which will be evaluated by the County. The drill will begin at 8:00 a.m. and conclude by noon. All the volunteers should be out by 2:00 p.m. It was asked if the volunteers can operate the township equipment. It was noted that anyone who operates the equipment needs to be put on the consortium which requires a drug test. Also there was a brief discussion on getting the internet to the recycling building

Transportation Committee, YCPC – Supervisor Decker stated that she attended the meeting this morning and noted that the jughandles have been omitted. The plans have been changed and copies will be sent to the township. There will be 5 intersections that motorists will not be able to go directly across. Golf Course Road will have more discussion. Minutes of this meeting will be submitted to the township. Right turn lanes are to

be added. Cabin Hollow Road will not be changed for the emergency vehicles. There will be more public meetings.

PUBLIC COMMENT

1. Peg Juergens, 5K Memorial Walk / Run

Ms. Juergens noted that she went to the Park & Recreation Board regarding this 5K walk / run. It will begin at Ponderosa Park go along Water Street to Union Church Road and Hickory Road. It was questioned if a permit is needed for this. Ms. Juergens indicated that she did talk to Lt. David Lash at NYCPRD and noted that the police would need approval from the township to close down roads. There was discussion on using the fire police to help with traffic, signage to be put up by either the township or fire police, and having a vehicle in front and behind the participants with flashers on. There is a tentative date of September 17.

2. John Woods, E. Greenhouse Road

Mr. Woods did not show up but Supervisor Ryan noted that this was concerning the culvert pipe that was taken out on his property. The township did work back in 2012 and the neighbors did sign a release. Mr. Woods is in Carroll Township. Mr. Cook will be contacting DEP regarding this situation. It was noted that the township is not responsible for private property.

3. Solar Array Presentation

Representatives from Solar City were present to give the Supervisors information on the savings from solar arrays. Mr. Tom Bethel is a township resident who recently had solar arrays installed. There is a 30% federal tax credit a resident can receive and there is a 25 year warranty on the panels. It was noted that you can either buy the systems or power purchase agreements. Solar City designs, installs, maintains and insures every roof that they install the systems on. You can also monitor the system through the internet. It was questioned the weight on the roof with the panels and with the snow load. Information was left for anyone who is interested.

APPROVAL AND PAYMENT OF BILLS

Motion: Supervisor Sprigg made a motion to pay the bills as submitted. **Seconded** by Vice Chairman Cummings. Supervisor Decker asked about the bill under Recreation Fund from Terry Dougherty and it is for the shelter that was constructed on Chainsaw Road where the horse shoe pits are. The motion carried.

TREASURER’S REPORT

Motion: Supervisor Decker made a motion to approve the treasurer’s report as submitted. **Seconded** by Vice Chairman Cummings. The motion carried.

Budget Workshop

After a brief discussion it was decided to hold the budget workshop meeting on September 28th beginning at 7:00 p.m.

Workshop Meeting

At this time it was decided to schedule another workshop meeting to discuss the zoning ordinance and SALDO. It was decided to have this workshop meeting on September 21st beginning at 7:00 p.m.

BCO REPORT

A report was submitted of the building permits issued for the month of July along with a breakdown of the fees. A memo was received from the BCO with regards to Mr. Kuntz and his conditional use approval for an

accessory structure. The building inspector needs to know if the Supervisors consider this either a residential or commercial property. Since the property's primary use is residential that is what it is considered. Mr. Ron Miller questioned this since he had to do a land development plan for his commercial business and stated that rules need to work for all. Mr. Miller also stated that he had to do road improvements, which he did himself. It was noted that Mr. Kuntz still needs to do a stormwater management plan.

ZONING OFFICER REPORT

The zoning officer submitted his report. Chairman Holder questioned the recently issued zoning and non-UCC building permit issued to the property at 171 Chainsaw Road since the accessory structure is 1,800 s.f. but the permits indicate 900 s.f. and that it should have gone through the conditional use process. It was noted that this will be corrected.

SUBDIVISION AND LAND DEVELOPMENT

Susan Heck, Waivers Requested

Todd Lyons, surveyor, stated that he did go back to the Planning Commission regarding the 2 waiver requests from Mrs. Heck for the recreation and road improvement fees. It was a 3 to 1 recommendation to approve the waiver requests. Another issue that was discussed was the back-up site for a septic system. The SEO was contacted and since the applicant is just splitting the farm field no back-up system is needed. This plan would be eliminating one deed. Supervisor Decker thanked the PC for looking at these waiver requests and Mr. Yerger's response letter. It was also noted that this plan is similar to the Knoebel plan with just moving the property line.

Motion: Supervisor Decker made a motion to waive the recreation fees for the Heck property based on looking into this type of subdivision with no additional dwellings and the comments from the Planning Commission. **Seconded** by Supervisor Sprigg. The motion carried.

There was a brief discussion on the road frontage and it was noted that it is approximately 600+ feet. With the increased acreage it is making it better for a back-up system and the applicant is submitting a non-building declaration.

Motion: Supervisor Decker made a motion that since there are no additional parcels being created to waive the road improvement fees for the Heck property. **Seconded** by Vice Chairman Cummings. The motion carried with Supervisors Ryan and Cummings opposing.

It was noted that the applicant should dedicate land for the proper road width.

Goda / Fleming Reverse Subdivision Plan

This is the previous Paul Kimmel's property that had numerous subdivisions. The plan shows 2 lots that were to be joined together but never was and nor was a consolidation deed ever written and now Mrs. Goda wants to sell the one lot back to Mr. Fleming. Todd Lyons was presenting this plan and is asking that the same consideration be done as that of Mr. Young's property a few months ago, i.e. that a formal plan submission not be required. The title company will not insure this lot. Parcel numbers 73 and 73C should have been joined but never was. Mr. Fleming lives on the back lot and the lot he would be purchasing is a non-building lot, an existing non-conforming lot. There was discussion on a quick claim deed. It was noted that a formal submission is required.

Appointment of Committee Members from Planning Commission

It was noted that the PC has direction on this. It was noted that a comment had been made for the committee being formed but it still needs to go through the process.

REPORTS

Engineer

Bridge on Century Lane

It was noted that the engineer is waiting on the bog turtle clearance from the US Fish and Wildlife Service before submitting the permit.

Lake Lea

The engineer met with DEP regarding the waterways and to discuss the flooding that is occurring on Lake Lea Drive. A joint permit would be needed to do the work, such as increasing the stream width and digging deeper in the floodway. The joint permit would be with the Army Corp of Engineers and DEP. KPI did prepare a draft report but it was never sent.

Circle Drive Drainage Project

There will be a pre-construction meeting with the contractor, neighbors and the township. They are possibly looking at a September 1 start date with being at the site for approximately 2 weeks.

Fox Subdivision

The property markers need to be verified before the plan can be recorded, but the markers could not be found along the pond. It was suggested to ask Mr. Lyons to revise the plan.

Solicitor

Boy Scouts – Road Adoption

Solicitor Shaffer stated that a Resolution will be prepared prior to the next meeting.

Executive Session

An executive session will be needed.

Road master

The road report was submitted. The stone and chipping of various roads has been completed. The school district has been notified of the bridge and Circle Drive project with closing the roads.

Park & Recreation

Mr. Gingrich, Chairman of the Park & Recreation Board reported on a few items, but noted that their thoughts are with the roadmaster at this time. There was discussion on the water quality at both of the parks. Culligan had installed the water purification system at Ponderosa Park and the township has been talking with them. A part was ordered to fix the problem at Ponderosa Park and once the part is installed the water should be re-tested. It was noted that the people who use the kitchen area at Ponderosa are turning off all the breakers before leaving. Supervisor Ryan indicated that he wants all of the reports on the water testing.

OLD BUSINESS

Rick Hoffman Letter

At this time Mr. Hoffman submitted a copy of a letter he wrote indicating a verbal altercation at the Park & Recreation Board meeting and at the following meeting was told to let up or deal with the Chair. It was noted that there are rules for attending meetings in the township. Chairman Holder asked what is the Board's legal standing on this matter. There were comments made about what a township employee had said and Supervisors Decker and Cummings did talk with this individual. The employee was to be under un-due stress asked about this it was indicated that it was false. It was asked why the Park & Recreation Board does not record their meetings and there needs to be a resolution on retaining the tapes of meetings. It was also noted that a Supervisor was accused of being intimidating. If there are issues between 2 people this is a private issue. Supervisor Ryan stated that he had a talk with the individual a couple of days later and he holds no personal grievance. Mrs. Gingrich suggested that the Supervisors bring in a third party to investigate. Mr. Gingrich indicated that he does not lie.

NEW BUSINESS

There was no new business to discuss at this time.

CORRESPONDENCE

There was no correspondence to discuss at this time.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

At 10:38 p.m. the Board of Supervisors went into an executive session with action to be taken. The Supervisors came out of executive session at 12:13 a.m.

Motion: Vice Chairman Cummings made a motion out of concerns that were addressed by numerous people that the Board respectfully remove Ronald Gingrich from the Park & Recreation Board. **Seconded** by Supervisor Ryan. Mrs. Gingrich stated that if the Board is really interested in finding out what happened they should interview everyone on the Park & Recreation Board and see if they felt being intimidated by the actions of Supervisor Ryan. The Supervisors owe it to the Park & Recreation Board to do a full investigation before voting. They should conduct a fair investigation. Vice Chairman Cummings discussed being at the meeting and his emails. He went to the park one Saturday and discovered bikers using the closed bridge and parking area and though that he was helping by informing the bikers. There was discussion regarding filtering information and that it needs to go to all of the committee members and not just the chairman. It was noted that Mr. Gingrich has done a lot for this township. There was further discussion on what had happened at the meeting. Supervisor Decker stated that Mr. Gingrich may have chosen the wrong words and unfortunately it was said in a public meeting and that she has respect for Mr. Gingrich and the work he has done. The motion carried with Chairman Holder opposing. Supervisor Decker did not vote but stated that they have their vote and she doesn't need to say anything.

Mr. Gingrich asked who is going to inform the other Park & Recreation Board members as he will not. Chairman Holder stated that Supervisor Decker is the representative on the Park & Recreation Board. Chairman Holder apologized that this action came to this.

ADJOURNED

Motion: Supervisor Sprigg made a motion to adjourn the meeting at 12:37 a.m. **Seconded** by Supervisor Ryan. The motion carried.

Respectfully submitted,

Nancy Zentmeyer
Township Secretary