

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
February 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 6:00 p.m. Guests and visitors are on the attached sign-in sheet.

**CONDITIONAL USE HEARINGS – 6:00 P.M.**

**1. Leonard McLaughlin, Case #2016-01**

This conditional use hearing is for a proposed accessory use building over 1,000 s.f. (42'x46') in the Open Space zoning district. Mr. Leonard McLaughlin, applicant and Mr. Brian Fahey, Zoning Officer were sworn-in. The property is located at 155 Central View Road and is on less than a 15% slope. The hearing was properly posted and advertised. Mr. McLaughlin is proposing to put an addition onto an existing building for storage. There will be plumbing and electricity. The proposed addition will be built on a gravel driveway so there will be no additional impervious coverage. The building meets the setback requirements. Any run-off from the roof will be diverted to the back of the property. Solicitor Shaffer noted the following exhibits:

Exhibit #1 – the application

Exhibit #2 – picture with writing on it

Exhibit #3 – picture

Exhibit #4 – summary of findings

On the zoning officer's report comment #6 regarding the requirements of the stormwater management ordinance was discussed with Mr. McLaughlin still having to submit the stormwater management plan worksheets to the township engineer.

**Motion:** Supervisor Sprigg made a motion to approve the conditional use application for the accessory use for Mr. McLaughlin, Case #2016-01. **Seconded** by Supervisor Ryan. The motion carried.

**2. Glenn Wentz, Case #2016-02**

This conditional use hearing is for a proposed accessory building over 1,000 s.f. (50'x80') in the Open Space zoning district. Mr. & Mrs. Glenn Wentz, applicants and Mr. Brian Fahey, Zoning Officer were sworn-in. The property is located at 124 Lost Hollow Road and is on less than a 15% slope. The hearing was properly posted and advertised. Mr. Wentz is proposing the building for the storage of farm machinery and repair. The setbacks have been met. Solicitor Shaffer noted the following exhibits:

Exhibit #1 – the application

Exhibit #2 – drawing of property

Exhibit #3 – summary of findings

Mr. Wentz stated that he will have water and electricity to the building.

**Motion:** Vice Chairman Cummings made a motion to approve the accessory use for Mr. & Mrs. Wentz, Case #2016-02. **Seconded** by Supervisor Decker. The motion carried.

**Motion:** Supervisor Sprigg made a motion to close the hearing at 6:22 p.m. **Seconded** by Vice Chairman Cummings. The motion carried.

The Regular Meeting commenced at 7:00 p.m.

Chairman Holder informed the audience that the township adopted a Resolution on the policy to govern public comment and that all comments will be civil.

**PLEDGE OF ALLEGIANCE AND PRAYER**

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

**APPROVAL OF MINUTES**

**1. Board of Supervisors Reorganization Meeting, January 4, 2016**

**Motion:** Supervisor Sprigg made a motion to accept the revised minutes of January 4, 2016 as submitted. **Seconded** by Chairman Holder. The motion carried.

Supervisor Decker noted that the temporary employee wage needs to be amended from \$13.75 to \$14.00 per and this needs to be shown in the minutes in order to be submitted with the PEMA disaster recovery forms. After a brief discussion it was noted that this will be discussed under New Business.

**2. Board of Supervisors Regular Meeting, January 13, 2016**

**Motion:** Supervisor Decker made a motion to accept the minutes of as submitted. **Seconded** by Vice Chairman Cummings. It was asked if the letter to PennDOT was sent and it was so noted. The motion carried.

**3. Board of Supervisors Special Meetings – January 19 & 22, 2016**

**Motion:** Supervisor Decker made a motion to table the minutes until she can listen to the tapes. **Seconded** by Supervisor Sprigg. The motion carried.

Chairman Holder announced that an executive session was held from 6:30 p.m. until 7:00 p.m. to discuss legal matters with no action taken.

**PUBLIC COMMENT**

A note of appreciation was given to the road crew for the fine job they did during the snow storm, to Supervisor Ryan who took over for the road master and for Mrs. Williams for the PEMA disaster recovery report.

**APPROVAL AND PAYMENT OF BILLS**

**Motion:** Supervisor Decker 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 Supervisor Sprigg. The motion carried.

The Treasurer’s memo of February 10, 2016 was discussed with the following action taken:

1. Dale Winter - Outstanding A/R of \$510.00 for an SEO fee reimbursement. Township records indicate he owns no real estate in the township and there is no forwarding address to contact him. It was noted to get rid of it.
2. Cell phone – the former zoning officer’s cell phone is not being used. This is an add-on line at a cost of \$20.00 per month. The cell phone is to be returned.
3. Health Insurance – this is in regards to the amounts/percentages that employees are contributing. This is to be researched on the percentage of the pay rate and will be discussed at next month’s meeting.

Vice Chairman Cummings questioned the money management account and it was noted that it is one account under the general fund. Act 72 protects accounts and they should be kept under \$250,000.00. This is to insure the money. This will be looked into.

It was noted that Bob King’s credit card has expired and he was never issued a new card. The Treasurer will look into this and get Mr. King another card.

There was discussion on what the township could receive from submitting the disaster recovery forms to PEMA.

### **BCO REPORT**

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

### **ZONING OFFICER REPORT**

Mr. Fahey presented the following issues from his report.

1. Todd Lyons, surveyor, is licensed to do floodplain reassessments to reverse FEMA floodplain decisions. Engineer Heerbrandt stated that it is done through a letter of map amendment.
2. A complaint was received regarding the property at 172 Locust Grove Road that horse stalls have been turned into living quarters.
3. On Lost Hollow Road there is building activity at the site. As of this date there is no resolution. Correspondence has been sent but there has been no reply. This is an on-going case.
4. Randy Miller, Glenwood Road – second residence issue. It was noted that Mr. Miller is drafting a letter requesting the Supervisors delay an enforcement decision until he can be back in PA. It was noted that Mr. Miller’s variance request was denied and he did not appeal the decision. Mr. Fahey stated he needs a definition of a “residence”. In regards to Mr. Miller’s request to delay any enforcement, it was noted that the township will go by the time line instead of waiting until Mr. Miller returns to the area.
5. Dave Miller, South Mountain Road – the sign violation at the end of his driveway was discussed. Is this a mobile sign?
6. Welshan Property, Glenwood Road – Mr. Fahey discussed this issue with Mr. Welshan and noted that he has a contract regarding the horse boarding that came with the purchase of the property.
- 7.

### **ORGANIZATION REPORTS**

**Police** – Supervisor Sprigg noted he has nothing to add to the report. The township will be putting on a police link to their website that lists the police daily logs.

At this time Mrs. Gingrich commented on the banner with PDF files and asked that it be removed.

**Fire** – Citizens Hose Co. #1 noted in their annual report that there was a total of 47 calls in the township and 1,241 hours of training.. In January there were a total of 10 calls in the township. There were no large scale incidents during the snow storm. There was great team work between Citizens Hose and Franklinton Fire Co. during the snow storm. There were at least 6 personnel on staff at all times during the snow storm.

There was discussion regarding a Charter for fundraising purposes which would include both fire companies and the EMS. It was noted that it is the Board of Directors that manages the fire company and Mr. Dean Trump would be the individual to ask about the Charter. There would be a fundraising committee which would be under a Dillsburg Proud banner to work as a community. There was discussion on events being held, such as dances at the fire hall. It was noted that the fire companies do not bill for fires, accidents etc. as they were sent directly to the insurance companies but never paid. Hazmat billing goes through the County for reimbursement. Mr. Andy Ritter, Chairman of the Carroll Township Board of Supervisors was present with discussion regarding the townships to sit down together and talk about a regional fire company. Both companies have been working together for the last year. It was suggested that 2 Supervisors should meet with the other municipalities to discuss this issue. Supervisors Ryan and Cummings will attend those meetings.

Franklinton Fire Company noted there were 16 calls in the township during the month of January. The next steering committee meeting will be held on February 15. The fire company's tanker and the tanker from Abbottstown were inspected and reviewed to determine their condition. There are a few repairs needed to the Abbottstown tanker and these repairs need to be done before the township would consider purchasing. Mutual Aid Agreements were discussed. There are agreements with the fire companies but not mutual aid agreements, and it was noted that the fire companies are working under a Pennsylvania mutual aid agreement. Also discussed was the Firefighters Relief Association. Supervisor Decker suggested that a letter be written to Remcon in appreciation of their inspection work of the tankers.

**EMS** – A report was submitted.

**DAA** – The minutes were received.

**Emergency Management** – Mr. Laurin Fleming presented the following. On January 9 was the CERT kick off and there were 17 responders in attendance. There will be a training class in May and an emergency drill in September/October time frame that the Supervisors and staff will need to participate. The EOP is being worked on and once it is completed a workshop meeting will be needed. Mr. Fleming noted that he needs internet access at the emergency operation center. It was noted that the fuel station replacement is listed for Discussion on the agenda and Mr. Fleming noted he would like a 250 gallon tank for gas. The 911 call center was out recently and it was asked what is used when that happens and it was noted that the fire companies are a response station. Chief Whitzel thanked Mr. Fleming for his help during the snow storm.

**NYCRCP Transportation** – Correspondence was received from PennDOT regarding the next public meeting and plans presentation, which will be held on March 9 from 6 – 8 p.m. It was noted that is the next Supervisors meeting. With regards to the jughandles there are 3 lights on each side of the road which the township will have to maintain. There was a brief discussion on how will the traffic effect the township roads.

## **SUBDIVISION AND LAND DEVELOPMENT**

### **1. Planning Commission 2015 Annual Report**

This report is informational only, as it is required by the PA MPC.

### **2. Lorin & Sandra Stough, Waive Fees**

Mr. Eric Diffenbaugh from C.W. Junkins was present to represent Mr. Stough. Mr. Stough had sent correspondence requesting the township consider to waive the fees of the new plan submittal. It was noted that the latest plan was the revised plan submitted in October 2015 which took off the recreation area. Mr. Stough had commented that he is going off of the original plan that was submitted in July 2015. A new plan will be submitted to the township. The malfunctioning system is still on the table and needs to be fixed. One tank had a dye test and the existing tanks were pumped on February 2, 2016. A holding tank needs to be installed but is only a temporary fix. After the holding tank is installed and there is still gray water then there is a problem somewhere else. There was discussion on doing the camera test on the house from the septic to the drain field, but will do a dye test first then the camera test. The SEO was contacted and received the paperwork for the holding tank but he needs authorization to issue the permit. It was insisted that part of the condition of the holding tank permit that the illegal discharge be cut off within so many days, as decided by the Supervisors, and it was also suggested this be done before considering any new plans. There are a couple of items that need to be done: 1) illegal stream discharge needs to be 100% corrected and 2) have a pumping contractor do the trace dye and camera inspection of the drain field.

**Motion:** Supervisor Sprigg made a motion to have the SEO issue the holding tank permit and with the condition that the illegal discharge into the creek be cut off in 7 days from either this date or the date of the permit. Solicitor Shaffer noted that a motion cannot be made with putting conditions on a the submission of a plan. **Motion:** Supervisor Sprigg made a motion to have the Supervisors authorize the SEO to issue the holding tank permit and have the lines capped within 7 days. **Seconded** by Vice Chairman Cummings. There was discussion on the gray water going into the basin may be coming from the house. To cap the existing lines and use those tanks until the holding tanks are installed. Supervisor Decker noted that it is necessary to have the house checked. It was suggested to add to the motion to dye and camera test the house, but it was noted that would need to be a separate motion. There are 3 1,250 gallon tanks being proposed and the house is not included. It was noted that the solid waste ordinance could be enforced. It was suggested to have the tanks pumped every 10 days and if there is still gray water then it is coming elsewhere. The motion carried.

It was noted that no plan or module can be submitted until this problem is corrected.

## **REPORTS**

### **Engineer**

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

### **Solicitor**

#### **1. Conditional Use Hearing – Set Date**

Solicitor Shaffer noted that another application has been received for a conditional use hearing. Mr. Leininger is requesting that the hearing be held in April as he is out of town during February and March. An enforcement notice was sent to Mr. Leininger in 2015. A building was constructed that is over 1,000 s.f. without having a

hearing and building permit. It was decided to hold the conditional use hearing before the Supervisors next meeting, March 9 beginning at 6:00 p.m. It was noted that Mr. Leininger also needs to do a land development plan.

**Road master**

**1. Purchase of Pressure Washer**

Supervisor Ryan noted that a pressure washer is needed to clean off the vehicles.

**2. Fuel Station Replacement**

The 500 gallon tank needs to be put up on a pad with a reserve around it and it needs to be moved.

**3. Sidewalk Ordinance**

It was noted that there is a need for a sidewalk ordinance with regards to residents shoveling the sidewalk after a snow storm. This is an issue in the Twin Hills development. There is an easement on Mary Drive that is part of the walkway that the township would have to maintain. It was suggested to put something on the website notifying the residents of Twin Hills that the sidewalks need to be taken care of. It was noted that Dillsburg has a good ordinance but it needs enforcement. It was suggested to put in the ordinance that if a homeowner does not clear their sidewalk that the township will contract with someone to open the sidewalk and bill the homeowner. By law the penalty needs to be given to the property owner. Solicitor Shaffer is to draft an ordinance for the Supervisors to review.

**Park & Recreation**

Mr. Ron Gingrich, Chairman of the Park & Recreation Board reported on a few items:

1. Recreation area in Twin Hills – there is still one shed on township property which needs to comply.
2. All youth sports representatives will be at the next Park & Recreation Board meeting to discuss the scheduling of the fields.
3. The Board still needs another member to be appointed.

**4. Appointment to Park & Recreation Board – Terry Hoffman**

**Motion:** Vice Chairman Cummings made a motion to appoint Terry Hoffman to fill the vacancy on the Park & Recreation Board. **Seconded** by Chairman Holder. The motion carried.

**OLD BUSINESS**

There was a brief discussion on the steep slopes and it was noted that the Supervisors are getting information on case studies which are being shared. Research is also being done and the Supervisors look to have a workshop sometime in the future.

**NEW BUSINESS**

**1. Temporary Employee Wages**

**Motion:** Supervisor Decker made a motion to change the temporary employee wage from \$13.75 to \$14.00 per hour. **Seconded** by Chairman Holder. The motion carried.

**2. BOS Agenda**

It was suggested to move the organizational reports up on the agenda to after the approval of minutes.

**CORRESPONDENCE**

**1. Community Map**

It was noted that the Supervisors had received a community map from another municipality and suggested that the township look into this. It was noted that at the PSATS conference there are vendors there that provide this service.

**2. Fire Company Banquet**

Citizens' Hose Co. #1 is holding their annual appreciation banquet for the Supervisors on March 19.

**PUBLIC COMMENT**

There was expression of special appreciation to the road crew for the fine job they did during the snow storm.

**EXECUTIVE SESSION**

No executive session is needed since it was held prior to the beginning of the meeting.

**ADJOURNMENT**

**Motion:** Supervisor Sprigg made a motion to adjourn the meeting at 10:38 p.m. **Seconded** by Chairman Holder. The motion carried.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary