

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
January 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 7:00 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 Vice Chairman Cummings gave the opening prayer.

**APPROVAL OF MINUTES**

**1. Board of Supervisors Regular Meeting, December 9, 2015**

**Motion:** Supervisor Sprigg made a motion to accept the minutes of December 9, 2015 as submitted.  
**Seconded** by Supervisor Decker. The motion carried.

**2. Board of Supervisors Conditional Use Hearings, December 14, 2015**

**Motion:** Supervisor Decker made a motion to accept the minutes of December 14, 2015 as submitted.  
**Seconded** by Chairman Holder. The motion carried.

**3. Board of Supervisors Workshop Meeting – December 22, 2015**

**Motion:** Supervisor Decker made a motion to accept the minutes of December 22, 2015 as submitted.  
**Seconded** by Supervisor Sprigg. The motion carried.

**PUBLIC COMMENT**

**1. Chief Mark Bentzel, Northern York Regional Police Department**

Chief Bentzel was present to discuss the police department and to answer any questions or concerns from the audience. Mrs. Gingrich commented on a complaint against one of her clients and the comments District Magistrate Thomas had made regarding the police declining to get involved and that these comments be passed on to the police. There was discussion on the drug problem in the schools and it was noted that it is being combatted through education. Vice Chairman Cummings stated that law enforcement is not getting a fair shake nationwide and he thanked Chief Bentzel and his department. The crime rate in the township was discussed and it was noted there is mainly theft and burglary. With less serious crimes, Franklin Township is on the low end. There is also concern with school shootings and it was asked if there are any plans, and it was so noted. It was noted that the Supervisors would like to see more patrolling on township streets and less on Route 15.

**APPROVAL AND PAYMENT OF BILLS**

**Motion:** Supervisor Decker made a motion to approve the bills. **Seconded** by Supervisor Ryan. The motion carried.

**TREASURER'S REPORT**

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

**BCO REPORT**

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

**ZONING OFFICER REPORT**

The zoning officer will be meeting with possible residents regarding a property on Tuckahoe Road to determine if they can build on the property before they purchase it. Item #3 of the report is deleted, this is for a property on Gameland Road and there was discussion on the soil test being expired. Stormwater management plans were discussed for buildings under 1,000 s.f. It was noted that there is an on-going problem with a property that has numerous vehicles that are to be removed. The homeowner needs to show proof that the vehicles are licensed.

**ORGANIZATION REPORTS**

**Police** – Supervisor Sprigg noted he had nothing more to add than what Chief Bentzel had discussed at the beginning of the meeting.

**Fire** – Chief Whitzel from Franklinton Fire Company gave his report. There were 8 calls in the township during the month of December. Chief Whitzel also gave a report on the replacement of their tanker. The current tanker is a 1993 Chevy Kodiack Chassis with a 1,800 gallon steel tank with 24,500 miles and 2,545 engine hours. Deficiencies that have been identified are complete pump failure during certification testing, pump manufacturer no longer in business, transmission is leaking, engine leaking oil and antifreeze, it is 23 years old, and steering axle components nearing need for replacement. The fire company has the following options: do nothing and it will become too unsafe to operate and will be taken out of service; replace the pump which is estimated at a cost of \$20,000.00 plus installation; purchase a new tanker at a cost of \$320,000.00 - \$355,000.00 for water hauling only or \$500,000.00 - \$550,000.00 for a tanker/pumper; or get out of the tanker business, but 90% of their response area is non-hydranted, limited resources of mobile water supply, there are liability concerns and it places firefighters at risk. Chief Whitzel noted that Abbottstown has a used 1997 tanker for sale at a cost of \$75,000.00. This tanker is in excellent condition but a pump test would be needed. It was suggested to look at other replacement costs. It was also suggested to have a meeting with Carroll Township to discuss purchasing a tanker between the two municipalities since Franklinton Fire Company has as many calls in Carroll Township as they do in Franklin Township.

A report was submitted by Citizens Hose Co. #1.

**EMS** – A report was submitted.

**DAA** – The minutes were received.

**Emergency Management** – There was nothing to report at this time.

**NYCRCP Transportation** – Mr. Kober stated that the next PennDOT open house and plans display for the jughandle project will be held on March 9, 2016 from 6 – 8 p.m. at the York Springs Fire Department. Discussion ensued regarding the jughandles and it was noted that they would create more problems. Mr. Yerger had sent correspondence to SPK Engineering with a suggestion and drawing to help eliminate the problem of

the fire company crossing Route 15. It was noted that an analysis be made from PennDOT and that an answer be given at the March 9 meeting. The correspondence from Mr. Yerger is to be placed on the website.

**Motion:** Vice Chairman Cummings made a motion that a letter be sent to PennDOT regarding the concerns on how the emergency services are to cross Route 15. **Seconded** by Supervisor Decker. Supervisor Decker added that the Board of Supervisors are in support of Mr. Yerger's drawing and that PennDOT consider it and that the township is looking for a response. The motion carried.

Supervisor Sprigg added that even though State and Federal monies are being used it will be the township's responsibility for the maintenance, replacement and operation of the jughandles.

## **SUBDIVISION AND LAND DEVELOPMENT**

### **1. Lorin & Sandra Stough, Time Extension**

**Motion:** Supervisor Sprigg made a motion to grant the time extension for the Stough's plan until June 30, 2016. Supervisor Ryan had discussion on this plan as he was at the Zoning Hearing Board and the Planning Commission when this plan was being discussed. Our SEO has visited the site and there is a letter from the SEO regarding issues that have come up regarding the on-lot sewage disposal systems. A dye test needs to be performed along with a temporary holding tank needing to be installed. It was noted that there is sewage going into the stream and the planning module will not be approved. It was questioned if the ZHB decision stands as the ZHB members did not see the complete plan. Discussion ensued. DEP needs to be notified as this is a violation. The motion was withdrawn.

**Motion:** Vice Chairman Cummings made a motion to deny the time extension request until June 30, 2016 for the Lorin Stough plan. **Seconded** by Supervisor Sprigg. The motion carried.

## **REPORTS**

### **Engineer**

Engineer Heerbrandt reported that he had received information regarding the road improvement fees for the Hoffman and Fox subdivision plans.

### **Solicitor**

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

Solicitor Shaffer noted that the township received 2 applications for Conditional Use hearings. After a brief discussion it was decided to hold the hearing on February 10, 2016 beginning at 6:00 p.m.

#### **2. Executive Session**

A brief executive session will be needed for the Roger Davis land use appeal with no action to be taken.

### **Road master**

A report was submitted.

### **Park & Recreation**

The new roof on the pavilion at Ponderosa Park has been completed. Lighting rods are to be placed on the buildings and pavilion at Ponderosa Park at a cost of approximately \$2,500.00. The work is completed at Century Lane Park with regards to the high waters that happen this past summer as the bridge and walking trail

needed to be redone. A shelter is planned to be constructed at the horseshoe pits along Chainsaw Road. There was a brief discussion about placing water fountains at the ballfields.

**OLD BUSINESS**

There was no old business to discuss at this time.

**NEW BUSINESS**

**1. Appointment of Vacancy Board Chairman**

**Motion:** Vice Chairman Cummings made a motion to appoint Page Shumaker as the Vacancy Board Chairman. **Seconded** by Supervisor Ryan. The motion carried.

It was noted at this time that Mr. Starner, who was a member of the Zoning Hearing Board, does not want the position of alternate. This position will be advertised.

**2. Establish Task Force Committee**

It was noted that the task force committee was suggested last year since there has been numerous discussions regarding the steep slope conservation overlay. There was discussion on what the committee would be doing. Mrs. Gingrich reviewed the process of the original zoning ordinance. Vice Chairman Cummings noted that he has valid concerns with creating a committee at this time, to grant advisory power but there is a need for good ideas. Whatever is done has to be for the wellbeing of the entire township. It was stated that suggestions should come from residents and not have a committee at this time to decide. A new soil analysis is needed. It was noted that with the first time a zoning ordinance is done it is a low bar for courts to review but once the ordinance is passed rights come into play. Corrections are looked at more ridged so it should be worded better and stated with clarity. There was discussion on different rules for the mountain area vs. other areas of the township, i.e. conditions on the slopes, also restricting property rights. There are property rights for both the top and bottom of the mountain. A lengthy discussion ensued regarding the steep slopes between the Supervisors and audience members. Vice Chairman Cummings stated that he is not in favor of voting for this committee at this time.

**3. PSATS – Municipal Pension Plan Disclosure Statement**

**Motion:** Chairman Holder made a motion to adopt the municipal pension plan disclosure statement and to post it on the website. **Seconded** by Supervisor Decker. The motion carried.

**CORRESPONDENCE**

**1. PSATS 2016 Conference**

Correspondence has been received regarding the PSATS 2016 conference and it was noted that there is a discount on the registration if done before March 31. At this time Chairman Holder and Supervisor Decker indicated that they will be attending the conference.

**PUBLIC COMMENT**

Mrs. Hoffman made a comment and expressed concern that it looks like the Supervisors are disorganized with going through papers or not having the information during the meeting and that they should know what is being said when comments are being made. It was noted that the Supervisors do receive an agenda packet the Friday before the meeting but there are usually items that come up or reports received after that date. It was suggested to have a cut-off date.

Mr. Stonesifer of the Zoning Hearing Board had previously asked if he could serve on any other board and it was noted that he cannot. This is under the MPC, Article 9, Section 903(a).

Vice Chairman Cummings noted that Mr. Stough had stated that when the BOS went into executive session that it was incorrect to do that to discuss employees' wages. Section 65 and 708 were mentioned regarding the action the BOS can take in an executive session. Supervisor Decker stated that the Banner needs to correct the statement on the wages and that Mr. Elbel, SEO is not employed by Hill & Associates.

There was discussion on appointing an Assistant Secretary and back-up BCO. It was noted that Bob Shelly is the back-up since he is already certified. It was suggested to have Mr. Fahey as the back-up BCO but he would need to take the class and pass the test, which is at a cost of approximately \$400.00. It was noted that Bob Shelly is to be contacted to see if he is willing to be the back-up BCO. As noted in the Second Class Township Code a Supervisor can be appointed as Assistant Secretary.

**Motion:** Supervisor Decker made a motion to appoint Pam Williams, the Township Treasurer, as the Assistant Secretary. **Seconded** by Supervisor Ryan. The motion carried.

**EXECUTIVE SESSION**

The Board of Supervisors went into an executive session at 10:35 p.m. with no action to be taken. The Board of Supervisors then adjourned the meeting at 11:40 p.m.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary