

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
March 9, 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 gave the opening prayer.

**PRESENTATION OF PLAQUES TO FORMER SUPERVISORS DONALD LEREW & JOHN SHAMBAUGH**

At this time Chairman Holder presented plaques to former Supervisors Donald Lerew and John Shambaugh for their many years of service.

Chairman Holder made a comment regarding the public forum in regards to comments being made about Franklintown Fire Company. The Supervisors cannot address these comments and if someone has an issue they need to take their concerns to the fire company.

**APPROVAL OF MINUTES**

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

**Motion:** Supervisor Sprigg made a motion to approve the minutes of January 19 & 22, 2016. **Seconded** by Chairman Holder. The motion carried.

**2. Board of Supervisors Regular Meeting – February 10, 2016**

**Motion:** Vice Chairman Cummings made a motion to approve the minutes of February 10, 2016. **Seconded** by Supervisor Sprigg. Supervisor Decker made the following corrections: page 2 under Approval of Minutes, BOS Regular Meeting – January 13, 2016 omit the word “of”; page 5 under Subdivision & Land Development, Lorin & Sandra Stough, Waive Fees change “is” to “are” and under Motion “Supervisor Sprigg made a motion to “discharge into the stream to be stopped within 7 days” and page 6 under New Business, Temporary Employee Wages Motion to include “to correct the wages for temporary employees in the reorganization minutes of January 4, 2016”. Supervisor Ryan questioned if the cell phone was taken care of and the health insurance being clarified. The motion carried.

**ORGANIZATION REPORTS**

**Police** – Supervisor Sprigg noted he has nothing to add to the report except that the calls are down 8.7 %.

**Fire** – Citizens Hose Co. #1 noted there was only one call in the township during the month of February. Citizens are currently working with Station 65. They will be submitting a quarterly joint training update. Air packs have been certified and gas meters have been checked.

Franklinton Fire Company noted that there were 4 calls in the township during the month of February. There is a new reporting system the fire company will be starting to use soon. It was noted that a motion was passed regarding routing equipment so that the fire companies can ride on each other's equipment, which they are covered by insurance. The 2 fire companies are currently working on driving each other's equipment, as this helps with the times there is light manpower. The 2 fire companies are continuing to work together. Supervisor Ryan stated that he has met with Carroll Township and Dillsburg Borough and will be approaching the fire companies in regards to joining together. There will be a fact finding and also help with management. Whatever monies are collected will go into one fund for future plans. All of the information and resources collected will be used to get everyone on board. This is not intended to control the fire companies. It was noted that the steering committee is pass the fact finding. The fire companies have been working with DCED. A study would need to be done regarding the merger/consolidation. There was discussion on making a new fire company. Chief Whitzel noted that the fire companies need the municipal support, need volunteers and money. They would like to preserve the history of the companies. Citizens Hose and Franklinton Fire Companies are on board with this.

Vice Chairman Cummings addressed the letter that was received from Mrs. Stough and asked her to reconsider her resignation and that the members of the fire companies have the Supervisors support. It was suggested to consider lifting up the firefighters in a type of newsletter with their pictures, names, years of service and thanking them for their services. This should also include the auxiliary and to distribute it to the residents. It was noted to even consider buying the fire fighters a shirt or jacket to identify them. There was discussion on doing fundraising for the fire companies and on opening day of sporting events will be the kickoff having a "Dillsburg Proud" to help raise funds.

**EMS** – A report was submitted.

**DAA** – The minutes were received.

**Emergency Management** – Mr. Laurin Fleming stated that EM staff and CERT training will be held. It was noted that there is a tank at Ponderosa Park that can hold 150 gallons and is available.

**Route 15 Transportation** – Correspondence had been received cancelling the March meeting with no plans to reschedule at this time. PennDOT and the County Planning organizations are going to further study the access along Route 15 from York Springs to Dillsburg. Updated information will hopefully be ready to share this fall. It was suggested that PennDOT be contacted at the end of June on their progress.

### **PUBLIC COMMENT**

There was no public comment at this time.

### **APPROVAL AND PAYMENT OF BILLS**

**Motion:** Supervisor Decker made a motion to approve the bills. **Seconded** by Vice Chairman Cummings. Supervisor Decker questioned the Met Ed bill since it is double. There is also an invoice that was not brought before the Supervisors for a decision and was not authorized and Supervisor Decker stated she was going to recommend that it not be paid. The motion carried.

## **TREASURER'S REPORT**

Act 75 was discussed regarding the maximum limit that is allowed in an account with public monies. A credit union is insured differently with shares instead of through the FDIC. It was suggested to pursue this through PSATS and Members 1<sup>st</sup>. Mrs. Williams noted that the salt spreader purchased in 2014 has been re-classified from major to minor equipment and she is working with Municipal Services on this. It was noted that the police links have been placed on the website along with phone numbers for emergency services, i.e. fire companies and police. Under the Treasurer's memorandum, item #1 - hours of work on the weekend and how employees should be paid. It was suggested to have Solicitor Shaffer look into this as it needs to be clarified.

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

## **BCO REPORT**

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

## **ZONING OFFICER REPORT**

Mr. Fahey discussed the following issues from his report: #3) regarding the records of buildings without permits. It was noted that nothing has changed from when he was formally employed except that the street addresses have been added to the files. #4) there is concern when someone files a complaint that their name not be given out. #10) the sign violation on S. Mountain Road - Pictures has been taken and he needs to talk to the Solicitor after the meeting. #11) complaint about open sewer pipes pumping raw sewage on the ground on Lost Hollow Road. #13) regarding signs for a business on Range End Road. Solicitor Shaffer noted that he needs to talk to the Supervisors about this. #15) a telephone call was received complaining about the violation of the junkyard ordinance on Hickory Road. There needs to be a signed complaint filed. Brief comments were made about comments #16 & #17.

Vice Chairman Cummings noted with comment #5 about realtors requesting information. The Solicitor is looking into drafting an ordinance to pass onto the realtor the costs. It was noted that the zoning officer should only answer the simple questions and that if the realtor has questions to go to the Planning Commission or hire an attorney. Mr. Fahey noted that he has an issue with the timesheet he is filling out and it was noted that it is the same one Ms. Myers had used. Supervisor Decker stated that the information being requested should come from the Board and not one individual. Pictures were taken of Mr. Miller's trailer and it was noted that if it is licensed or registered it is legal. Other issues discussed were the pictures taken on Lost Hollow Road and on Glenwood Road it was noted that 11 vehicles have been removed from the property. Supervisor Ryan noted that a complaint was received regarding trailers on Glenwood Road. The one trailer is to be set on a foundation and the other trailer will be scraped with the debris being removed too. Mr. Randy Miller did send correspondence to the township. It was again noted that just general information is to be given to any realtors that call.

## **SUBDIVISION AND LAND DEVELOPMENT**

### **1. David Young – Reverse Subdivision**

It was noted that Mr. Young has 3 or 4 small parcels and would like to combine them. There was discussion on a reverse subdivision or consolidating the deeds. It was noted that the SALDO does not have a provision for

this type of subdivision. It was noted that should go to the Planning Commission. There is no shortcut for reverse subdivisions. The plan should be brought in to show all of the parcels and a subdivision plan should be done with land hooks. It was noted that a surveyor needs to draw up a plan.

## **REPORTS**

### **Engineer**

#### **1. Bridges on Water Street/Century Lane**

The bridge on Water Street needs to be addressed immediately. The bridge is poured concrete box culvert bridge with no rebar. The concrete is separating from the box. A letter was sent to Quality Greenhouses asking them to have their trucks detour from using the bridge until it is repaired.

The Century Lane Bridge is a natural stone arch bridge and concrete has been poured on each side which was done after the original construction. There is a section of the bridge in the arch that has been collapsing down and has been filled with rock so the top deck of the bridge can be repaired. The township will be inspecting all of the bridges in the township. The engineer noted that there is an organization for townships to join in order to get costs for repairs. There is no fee to join.

**Motion:** Vice Chairman Cummings made a motion to authorize the engineer to get cost estimate for the Water Street Bridge. Lobar is the contractor for this region through the Keystone Purchasing Network. Replacement would be a box culvert and a 2 lane bridge. The school district needs to be notified. PSATS needs to be contacted to ask them about the Keystone Purchasing Network. **Seconded** by Supervisor Ryan. The motion carried.

**Motion:** Supervisor Ryan made a motion to do a detailed inspection of the Century Lane Bridge and get measurements and to get the scope of work to either repair or replace the bridge. **Seconded** by Supervisor Decker. The motion carried.

It was noted that any bridge deficiencies found will be listed and then the engineer will be notified.

### **Solicitor**

#### **1. Holding Tank Ordinance & Sidewalk Ordinance**

Solicitor Shaffer noted that he has 2 ordinances he has drafted for consideration of adopting. The first ordinance is to amend the holding tank ordinance and this was revised with the suggested changes from DEP. The second ordinance is a snow removal ordinance from sidewalks and this type of ordinance has to be enforced as a summary offense with a maximum fine of \$1,000.

The holding tank ordinance has the annual inspection included which is what DEP requires. Supervisor Decker noted under Section 8.B and questioned what about the small flow system. It was noted that this is a surface water discharge system. Under Section 10.F the word "Authority" should be changed to "Board".

The snow removal ordinance is for the removal of snow from said sidewalks. The definition of "Business Day" and "Business Hours" under Section 2 are to be omitted. Under Section 4 at the end of the paragraph "in business district" it was suggested to add "or in any area where sidewalks exist" or to just omit. Any real estate abutting a sidewalk, i.e. paved cartway in Twin Hills will be the responsibility of the township to clear.

**Motion:** Supervisor Decker made a motion to authorize the advertisement of the ordinances with the changes made. **Seconded** by Vice Chairman Cummings. The motion carried.

## **2. Executive Session**

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

### **Road master**

#### **1. Lake Lea Drive – Water Issue**

Supervisor Ryan indicated that he has a call out to Mrs. Coulson to see if she ever received the draft from 2013 of the roadside drainage evaluation that KPI had done. There are legal issues with the flooding of the road. The water is bringing debris onto the road and there is a need for better communication skills. The township is doing fact finding for now. The previous study needs to be reviewed. The draft from KPI has been given to the township engineer for his review also.

#### **2. Culvert Pipe – Circle Drive & Clear Springs Road**

A complaint was received and Supervisor Ryan looked at this along with a State official, Engineer Heerbrandt and Supervisor Sprigg. It was noted that this is on Township and State right-of-way. The State is in agreement that the culvert pipe needs to be opened up and replaced with a 24” culvert pipe instead of the 15” pipe that is currently there. The State will supply the 20’ of pipe needed for this project and the road sawing necessary for the extraction and installation of the new pipe. It was noted that the Lobar situation was also looked at and this has been satisfied. There was discussion on whether or not a permit will be needed. The scope of work and estimated cost will be needed from the engineer.

**Motion:** Vice Chairman Cummings made a motion to authorize the engineer to do a preliminary design. **Seconded** by Supervisor Ryan. Vice Chairman Cummings stated that he had also met with Mr. Shields and feels that this needs to be addressed right away. The motion carried.

The township received a complaint from 175 Chainsaw Road regarding water running across the road and freezing, but have not heard back.

County Line Road complaint – a letter was sent and the property owner does not want the work done.

Supervisor Ryan noted that the township can build the pad for the 150 gallon tank requested from Mr. Fleming for gasoline. It was also noted that there are pipes and stones that need bins for storage.

Ponderosa Park also has trash, debris, fill, millings, concrete slabs and dead trees that need to be removed from the park and these needs to be addressed right away.

#### **3. Purchase of Pressure Washer**

Quotes have been received for a pressure washer. Supervisor Ryan would like to have the use of both hot and cold water and the quote from North Star does provide this. Steam under pressure is a concern. Discussion ensued on the different models.

**Motion:** Vice Chairman Cummings made a motion to table until more information is received. **Seconded** by Supervisor Decker. The motion carried.

### **Purchase of Tanker for Franklinton Fire Company**

At this time Chief Whitzel approached the Supervisors indicating that Abbottstown needs a decision on whether or not they will be purchasing their used tanker as they have another buyer. The tanker was estimated at \$45,000.00 but Abbottstown is asking \$75,000.00. There was discussion on Carroll Township contributing \$20,000.00. Supervisor Ritter from Carroll Township has indicated that he feels they will commit to \$35,000.00. The current tanker that Franklintown Fire Company has hasn't been working properly since October 2015 when it failed the pump test. The evaluation was done only on the truck and not the equipment. It was asked if there are other monies coming from other municipalities and it was noted not at this time. Supervisor Decker asked where is the township getting the money from since it is not in the budget. It was suggested, if possible, that the township make a contribution and let the other Townships make up the difference. There was discussion on the funds and will they come out of the general fund? Nothing has been built into the budget. Vice Chairman Cummings noted that this is on the side of life and safety not the budget. If there is no money given then the Supervisors should have told the fire company a month ago. Supervisor Decker suggested that Franklintown Borough, Dillsburg Borough and Washington Township should each contribute \$5,000.00.

**Motion:** Supervisor Ryan made a motion on the stipulation that Carroll Township is going to match the funds, if we have the funds available, that we match the funds of Carroll Township and any other funds that come in put into an account to draw on later from any other municipal or borough that would be receiving service from this fire apparatus. **Seconded** by Vice Chairman Cummings. It was questioned how much does the township owe on the fire engine and it was noted that there are 8 years left on the payments. Life safety is an issue and Supervisor Decker stated that she thinks Dillsburg and Franklintown Boroughs and Washington Township need to contribute at least \$10,000.00 between them. It was asked what the new ISO rating would be with this tanker. Franklintown Fire Company stated that they would come up with the extra \$5,000.00 if the townships only come up with \$70,000.00. The motion failed as Chairman Holder and Vice Chairman Cummings voted yes and Supervisors Sprigg, Ryan and Decker opposed.

It was suggested to vote for a monetary value with the opportunity to negotiate the deal.

**Motion:** Supervisor Ryan made a motion that the Board gives the Chairman the negotiating powers to the maximum of \$30,000.00 to purchase and contingent with Carroll Township's matching funds. Vice Chairman Cummings noted that it should stay at \$35,000.00 not reduced to \$30,000.00. Supervisor Decker stated that \$70,000.00 be paid and that the equipment comes with the tanker. The motion was withdrawn.

**Motion:** Supervisor Ryan made a motion that contingent upon Carroll Township's donation of \$35,000.00 that Franklin Township will donate \$35,000.00 towards the purchase of the tanker to include the hand tools and equipment that were offered with the truck, is that going to cover the hoses by saying that, all the equipment listed with the sale of the truck. **Seconded** by Vice Chairman Cummings. The motion carried with Supervisor Sprigg opposing.

### **Park & Recreation**

Mr. Don Lerew, member of the Park & Recreation Board, stated that all of the different sport organizations that use the fields at the parks will be attending their meeting for the scheduling of the fields and working together. It was noted that there is a need for water foundations at the parks. It was questioned who owns the concession stand at Century Lane Park. It was noted that is the Little League.

It was questioned if the township sees the fire company's book. Their financial reports are given to the township. Under Act 8 the township could request to see their bills. Discussion ensued regarding fundraising and management of the fire companies.

**OLD BUSINESS**

There was no old business at this time.

**NEW BUSINESS**

There was no new business at this time.

**CORRESPONDENCE**

There was no correspondence to discuss at this time.

**PUBLIC COMMENT**

**1. Diane Demey – Sign**

Mrs. Demey requested information on the signs she wishes to place for her ice cream stand. The previous sign was in the township's right-of-way and was a free standing sign. She wishes to make 2 signs, one on each side of the barn. They will be white with red lettering with the letters being 5" in height. The issue is the sign is non-conforming. The signs will be the same square footage. After discussion it was decided that nothing needs to be done.

**EXECUTIVE SESSION**

The Board of Supervisors went into an executive session at 12:13 a.m. with no action to be taken.

**ADJOURNMENT**

The Board of Supervisors came out of the executive session at 1:30 a.m. and adjourned the meeting.

Respectfully submitted,

Nancy Zentmeyer  
Township Secretary