

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
March 14, 2018**

**ROLL CALL**

Present were Supervisors David Sprigg, Naomi Decker, Kevin Cummings, Eric Stonesifer and Michael Ryan, Solicitor Bret Shaffer, Engineer Phillip Brath, and Secretary Teresa Adams. The meeting was held at the Franklin Township Municipal Building, 150 Century Lane, Dillsburg, York County, PA. Visitors please refer to attached sign-in sheet.

**PLEDGE OF ALLEGIANCE AND PRAYER**

Chairman Cummings led the Pledge of Allegiance and Vice Chairman Sprigg gave the opening prayer the regular meeting was called to order at 7:00 PM.

**APPROVAL OF MINUTES**

**Motion** was made by Vice Chairman Sprigg to approve the February 14, 2018 minutes as received.

**Second** by Supervisor Ryan.

**Discussion** ensued over the length of the minutes, spelling errors, incomplete sentences, sentences that did not make sense. Supervisor Decker said the minutes for February were too long, she spent 5 hours reviewing and editing them and could not complete her review. Supervisor Decker request to table the minutes until a time they could be edited and condensed. Vice Chairman Sprigg pointed out 2 corrections need made on page 3 regarding putting out trash to read “no earlier than” the day prior to pick up.

**The motion was carried, Supervisor Decker was opposed.**

**Public hearing ordinance 2018 – 1 disposal of municipal waste**

**Refuse collection ordinance review**

**Discussion** ensued, public comment was opened, questions were asked by the public regarding current contracts that were held, container sizes, fuel surcharges, the use of bags, whether the ordinance pertained to mobile home parks. Concern was raised about containers for recycling, as far as would the trash hauler provide the container. The representative from Waste Management informed the public to use their 96- gallon cart container would be an additional three dollars per month, nine dollars per quarter. Tom Stang the Waste Management Representative informed the public of the pricing and quantities that were acceptable with the acceptance of the contract. It was stated the only change in the rate would be if there were an increase in the tipping charge at the county landfill. Residents may hold their current contract until March 19, 2019. Chairman Cummings made a comment about the fact that only two contractors came back with bids. Chairman Cummings second concern was that with a single hauler decreases competition. Chairman Cummings also stated that he doesn't like the fact that it takes away the resident's individual rights to choose. Supervisor Decker's comments echoed Chairman Cummings comments.

**Motion** was made by Supervisor Stonesifer to adopt ordinance 2018 – 1

**Second** by Supervisor Ryan

The motion carried, 3 to 2.

**Chairman Cummings and Supervisor Decker opposed.**

**Fee Schedule Resolution 2018 – 1**

**Motion** was made by Supervisor Stonesifer to adopt the Fee Schedule Resolution 2018-1 as submitted.

**Second** by Chairman Cummings

**The motion carried.**

**Review Employee Handbook Resolution 2018 – 2**

**Motion** was made by Supervisor Stonesifer to approve Employee Handbook Resolution 2018-2

**Second** by Supervisor Ryan

**Discussion** ensued Supervisor Decker brought up concerns about the employee handbook. Behavior and conduct of supervisors should not be in the employee handbook. Solicitor Shaffer stated the Second-Class Handbook covers this topic. Supervisor Decker would like to see this go to a workshop meeting. Chairman Cummings voiced concerns about benefits and overtime pay for the Township employees and thought a workshop would be needed. Supervisor Stonesifer wished to adopt the handbook to have policies in place and have an HR professional review the handbook. Supervisor Ryan second Supervisor Stonesifer's HR professional review to make sure the Township is following labor and industry laws. Workshop date was set for Wednesday, March 28, 2018 beginning at 6:00 PM. Supervisor Stonesifer withdrew motion.

Chairman Cummings instructed public going forward first public comment would pertain to issues on the agenda and second public comment on the agenda would be for other business.

Chairman Cummings opened the floor to Mrs. Gingrich for her subdivision plan. Mrs. Gingrich gave a review of the plan from conception through the planning commission to the Board of Supervisors. Mrs. Gingrich said she felt she has satisfied the requests of the board for the plan to be signed this evening. Mrs. Gingrich went on to say she felt that she had satisfied all the engineer's requests. Mrs. Gingrich was asking for a modification of waiver and the demolition process that would satisfy the board. Mrs. Gingrich stated that the 90-day time frame would not be adequate the reason being she would need time for a mortgage modification and appraisals for selling the property as a whole or separate lots. Supervisor Ryan asked about the nonconformity of the lots with the building still intact. Mrs. Gingrich replied the nonconforming lot would not be recorded for six months at which time they would record and post security. Solicitor Shaffer would like to see the plan recorded now in compliance with SALDO. And the conditions can be placed on the plan as notes and be on record. Conversation between the Township solicitor and the Township engineer ensued. Supervisor Decker brought up stormwater concerns with Mrs. Gingrich's engineer. Engineer Brath felt the conceptual stormwater management plan was adequate. Supervisor Decker had concerns that a conceptual plan was not adequate. Mrs. Gingrich's engineer gave an example of a stormwater system very similar to her own. Engineer Brath informed Mrs. Gingrich's engineer that was not a good example for the simple fact it had failed a couple of site inspections already. Chairman Cummings identified areas of steep slope on the plan that may have to be disturbed. According to the Township ordinance disturbing those areas would be a violation to our Steep Slope Ordinance. Chairman Cummings asked Engineer Johnston whether he felt the design he submitted could handle the storm water on steep slope. Engineer Johnston replied it absolutely can be done. Supervisor Decker asked if the plan was full-blown or a conceptual, stormwater management plan. Engineer Brath replied it is an adequate plan but not a full-blown plan with all the requirements. Engineer Brath asked that a note be placed on the plan that the BMPs are not approved for the construction phase along with other improvements. Supervisor Decker brought up concerns about the buffer area at the driveway. Solicitor Shaffer mentioned the easement agreement was satisfactory to the Township section 306.D .1 – 25 pertaining to the SALDO. Chairman Cummings commented on the intent of the steep slope ordinance. Supervisor Ryan, Engineer Brath, Solicitor Shaffer entered conversation about selling the parcel as a whole and as a three-lot subdivision and the securities that would be needed for the demolition of the building to make sure it was not

a nonconforming lot. Supervisor Decker has concerns about notes on the plans speaking of the Tax Office blowing it, Board of Supervisors blowing it, professionals on the board blowing it. Because the notes on the plan were not upheld. Supervisors had conversation about the options whether to record the plan or not and clear up the securities issue. Supervisor Ryan asked the board about their concerns on the steep slope issue. Engineer Brath makes statement he does not feel this was the intent of the steep slope ordinance. Vice Chairman Sprigg commented the intent of the ordinance is not to prohibit. Supervisor Ryan clarified with Engineer Brath he was not giving interpretation on steep slope merely a recommendation. The Zoning Officer would be the Township official to clarify intent in zoning matters. Vice Chairman Sprigg agreed with Engineer Brath that the Steep Slope Ordinance was not put in place for this intent. Zoning Officer Brian Fahey was directed by the board to make a determination on the steep slope on the Gingrich plan and report back to the Board whether he felt it was a violation of the standing Steep Slope Ordinance. Engineer Brath gave 10 conditions on his review which would have to be met for the signing of the plan. Solicitor Shaffer gave a recommendation to the Board of conditional approval that in 180 days if all Township Engineer conditions are met and a favorable report from the Zoning Officer were obtained we could move the plan forward.

**Motion** was made by Supervisor Ryan for modified waiver request for storm water management section 301.A and SALDO section 307.A.9

**Second** by Chairman Cummings

**The motion carried**

**Motion** was made by Chairman Cummings for conditional approval of Gingrich plan along with Engineer Brath 10 conditions in his February 20, 2018, review letter set on the plan and the Township Solicitor's comments and the maintenance agreements be with the plans and a favorable approval on the steep slopes from Township Zoning Officer Brian Fahey.

**Second** by Supervisor Ryan

**The motion carried.**

### **ORGANIZATION REPORTS**

**Police** – Vice Chairman Sprigg reported. He submitted 2017 annual report then he talked about the SWAT team and whether or not the Township would make donation. Vice Chairman Sprigg's recommendation was not to make a donation as they are fully funded by the county.

**Fire** – no report was submitted.

**EMS** – A report was submitted.

1. **Advisory Committee** – Supervisor Ryan reported EMS had 27 calls, 7 missed calls for a total of 34 total calls. He informed the public, memberships have been mailed cost is \$85 for single membership and \$100 for family membership.

**DAA** –Report submitted.

**Emergency Management** – Mr. Fleming advised of certification class in May or June and welcomed all to participate. Emergency drill training to take place at the Township building on Saturday, March 24, 2018, 8 AM till Noon. All are welcome to participate.

**Route 15 Committee Meeting** – Chairman Cummings submitted correspondence letter to Board.

**Engineer's Report** – Engineer Philip Brath gave the report  
**Franklin Glen** – HOA called Township office, spoke with Supervisor Ryan the association is going to get Engineer to address issues brought to them by Township Engineer.

**APPROVAL AND PAYMENT OF BILLS**

**Motion** was made by Supervisor Stonesifer to pay the bills.  
**Second** by Chairman Cummings  
**The motion carried.**

**TREASURER'S CORRESPONDENCE**

**1. Treasurer's Report**

Treasurer Pam Williams submitted a report.

**2. Treasurer's Memorandum**

Memo #2 – Question arose about Roadmaster pay; salary vs hourly, matter was turned over to Township Solicitor for determination at next months Board of Supervisors meeting.

**BCO REPORT**

Land and Sea Services submitted report received by Supervisors.

**ZONING OFFICER REPORT**

A report was submitted by the Zoning Officer.

Zoning Officer Fahey received a complaint on Lost Hollow Road, an on-site inspection would be completed with the Roadmaster for a determination of driveway access.

Zoning Officer Fahey advised the BOS of \$100 fee for BCO registration and ask the Board to pay fee.

**Motion** was made by Supervisor Stonesifer to pay registration fee of \$100

**Second** by Chairman Cummings.

**The motion carried.**

Zoning Officer Fahey was given a subpoena to appear for a fire violation at the District Justice office.

**SUBDIVISION AND LAND DEVELOPMENT**

**Hoffman** – incomplete plan submission was not accepted by Township for failure to pay fees, Solicitor Shafer to send correspondence regarding plan status.

**REPORTS**

**1. Solicitor – Elicker Stormwater Management Enforcement** – The board approved to move forward with enforcement, next step is District Justice office for action to be taken.

**Steep Slope Workshop** scheduled for Wednesday, March 28, 2018.

**Section 201.F.1.A** regarding 4-acre minimum sent to county review to be stricken from Ordinance. 4 acres minimum to be reduced to 2-acre minimum in Open Space Zoning.

**2. Roadmaster**

Roadmaster submitted 2018 Road Report.

**ESM**-Supervisor Ryan is registered in class to receive certification.

**3. Parks & Recreation**

Roadmaster submitted report to Parks & Recreation on maintenance and supply requisitions.

**Motion** was made by Supervisor Stonesifer for John Kuntz to fill vacancy on the Parks & Rec Board.

**Second** by Supervisor Decker. **The motion carried.**

Chairman Cummings voiced his concern over the blocking of Handicap parking during events. Supervisor Ryan reported 6 additional Handicap parking spaces were added to the parks.

**OLD BUSINESS**

**1. Duty's Keys – Motion** was made by Chairman Cummings to have Duty's Key rekey the Township office door locks.

**Second** by Supervisor Ryan.

**The motion carried.**

**NEW BUSINESS**

No new business currently.

**PUBLIC COMMENT**

There wasn't any further public comment.

**EXECUTIVE SESSION**

**ADJOURNMENT**

**Motion** to adjourn at 10:28 p.m. by Chairman Cummings

**Second** by Supervisor Stonesifer.

**The motion carried.**

Respectfully submitted,

Teresa Adams

Franklin Township Secretary