

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
July 11, 2018**

CALL TO ORDER:

The July 11, 2018 BOS Regular Meeting was called to order at 7:00 p.m. by Vice Chairman Sprigg

ROLL CALL

Present:

Vice Chairman David Sprigg	Solicitor Bret Shaffer
Supervisor Naomi Decker	Engineer Phillip Brath
Supervisor Eric Stonesifer	Secretary Teresa Adams
Supervisor Michael Ryan	Treasurer Pam Williams

ABSENT: Chairman Kevin Cummings

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

Pledge of allegiance and opening prayer were led by Vice Chairman Sprigg.

EXECUTIVE SESSION

Executive session was held beginning at 7:02 p.m.; the BOS returned from the session at 7:21 p.m.; no action was taken.

APPROVAL OF MINUTES

A motion was made by Supervisor Stonesifer to approve the minutes as received for the June 13, 2018 Regular BOS Meeting.

Second by Supervisor Ryan.

Discussion: Supervisor Decker said there were 3 corrections to be made to the minutes, on page 2, under “Public Comment” change Lot 73C and Lot 73 to be “Parcel NB-73C and Parcel NB-73”; under Organization Reports for Fire, strike “in BOS meeting packets”; Engineer Brath said on page 7 under “The motion carried” should add “as amended”.

The motion carried as amended.

PUBLIC COMMENT ON ITEMS ON THE AGENDA

Nothing submitted for comment.

ORGANIZATION REPORTS

Police – Vice Chairman Sprigg said the Township continues to run 11.73% higher in calls for the same time as last year, from January 1 through the current date. Majority of calls are service calls.

Fire – Chief Scott McClintock reported for the month of June there were 38 calls for service, for the year 277, seven of the 38 calls were in the Township which brings the Township total calls for the year to 65. Under training seven people attended the PA Academy for fire training. Some of the classes taken were Response to Terrorism, Strategic and Tactical Solutions for Supervisors, and two other classes. Merger

update, all paperwork has been submitted to the Orphans Court and the committee is waiting for final approval from the Orphans Court. Carroll Township has agreed to write a grant and be the submitter for the rebranding grant for DCED. Resolutions of support have been received from Franklinton Borough and Dillsburg Borough and with Carroll Township being a grant writer and submitter they are obviously in support of it. Rob Brady submitted copies of the resolutions from Franklinton Borough and Dillsburg borough to solicitor Brett Shaffer and there were concerns expressed at last month's Township meeting. Chief McClintock asked if the concerns were answered. Discussion ensued on emails that were sent out and received by the supervisors and solicitor from other municipalities and the content of those emails. Chief McClintock said he understands that supervisor Stonesifer had a concern regarding the words "in kind", Dillsburg Borough wrote their resolution taking out these words, which is perfectly acceptable. Chief McClintock said the Township may write the resolution however they wish to word it, it's the townships call. He said the resolution submitted was a generic resolution. Supervisor Ryan said a letter was received from Mike Regan and Representative Dawn Keefer to which he did send a response back to them. Vice Chairman Sprigg said he is not ready to respond to information he has just received and hasn't had time to review. Supervisor Stonesifer said this happened at last month's meeting, the supervisors received information at the meeting and did not have time to prepare a response. Supervisor Stonesifer said as far as his concern for the last line of the grant that he wasn't the only one that had a concern, solicitor Shaffer also had concerns. Solicitor Shaffer said he spoke with Rob Brady who said they would accept a resolution with the last line being cut and that eliminated his concern about it. Chief McClintock asked if the board had any other questions with writing a resolution of support that he may try to answer. Supervisor Ryan said that he had some questions. In the letter the supervisors received from Mike Reagan and Dawn Keefer jointly, it says that with the merging of the companies, will come increasing responsiveness, expanded volunteer pool and greater service to the communities at large. Supervisor Ryan said he was confused as to why a state senator and representative would send him a letter asking him to vote yes to something he has no information about. Supervisor Ryan said his concerns are, pertaining to budgets for the rebranding, insurance, the building expenses, the maintenance repairs, the overlapping of equipment, municipal contributions, and equipment owned by the municipalities and the fire companies together. Supervisor Ryan asked, without any of this information how are the municipalities expected to vote in favor of it. Chief McClintock said a budget was submitted to the municipalities. Supervisor Ryan said that he did not receive one, but the Township did submit their contribution. Chief McClintock asked if the Township received a breakdown on how the grant is to be used. Several of the supervisors answered no, nothing has been received except the letter from Mr. Reagan and Dawn Keefer. Supervisor Ryan said his other question is, several other municipalities had been in contact with the Township about a fire company merger meeting/municipal authority board, which the Township did not take part in because the Township does not have authority over the fire company. So, there is no point being on a board when the Township has no authority anyway. Chief McClintock spoke about forming a municipality advisory board, where each municipality would send a representative to sit on the board. Chief McClintock encouraged the board to send a representative to be part of the steering committee. Supervisor Stonesifer asked if the Supervisors could at least receive a monthly update on the progress of the fire company merger. Supervisor Ryan read a letter he received from the municipal authority board regarding extending the fire service in the northern York County regional area. The letter asked for municipalities to attend the meetings and listed two items of discussion at the first meeting were paid firefighters and a fire tax. The next meeting will be July 30, 2018, at 10:00 AM at the Dillsburg Senior Center. The letter was signed by John Richardson. Supervisor Stonesifer said this board was formed because of an EMS conflict with Wellsville and it was this reason that the Township decided not to participate because the Township does not want to be involved in the middle of a conflict between the fire companies. Supervisor Ryan said the Township

does support the firefighters and would like information as it is available on the merger to continue the Township support of the firefighters. Chief McClintock asked what information is needed or wanted by the Township to write a grant in support of the merger. Supervisor Ryan said he gave that information in his response, which would be basically a business plan. Supervisor Ryan asked, what is the costing for the rebranding. Chief McClintock said the grant is being submitted for \$84,000 but \$42,000 is coming from the fire departments. Chief McClintock said the rebranding is for the equipment and the buildings. Supervisor Decker said she was concerned that \$84,000 did not cover all the expenses. Chief McClintock said the goal is to have everything in one building, therefore the land investigation and engineer fees were included. Chief McClintock said that Rob Brady is hopeful a state grant could be obtained to help with the cost when the time comes. Chief McClintock said right now support is needed from the Township with the grant for rebranding. Vice Chairman asked if the board could review everything and have some type of decision by its next meeting. Chief McClintock said the resolution was drafted by an attorney, the advisory board will not be comprised of fireman only as in the past, there will be at least 3 business owners. Solicitor Shaffer said he has no legal concerns for the resolution language.

EMS – Advisory Committee – Supervisor Ryan reported 23 calls, 2 missed. No meeting month of June, going to quarterly meetings.

DAA –Report submitted. Supervisor Decker said the water interconnect is moving forward. Engineer Brath said there is a design which is preliminary.

Emergency Management – Dave Thomas was present to represent Franklinton Fire Company and had copy of bylaws and other information for the township if they needed to review them he could stop by later and submit them.

Supervisor Ryan asked if Laurin Fleming’s laptop issues had been resolved. Treasurer Pam Williams said she was working on resolving them, the problem seemed to be stemming from someone other than Stamm Solutions trying to resolve the issue and not the computer.

Route 15 Committee Meeting –

Supervisor Ryan reported he received a letter about another advisory board meeting. There is only 1 issue in Carroll Twp. Other issues are in other municipalities. Supervisor Decker said the Supervisors are in receipt of a letter giving the date and time for the next meeting.

Engineer’s Report – Engineer Philip Brath submitted his report to Supervisors. He reported he had nothing further to add to the report submitted. Engineer Brath reported that he did submit the GP 11 permit application for W. Greenhouse Rd., Bridge project and are waiting for a reply.

APPROVAL AND PAYMENT OF BILLS

A motion was made by Supervisor Stonesifer to approve and pay bills.

Second by supervisor Ryan.

The motion carried.

Treasurer's Report

A motion was made by Vice Chairman Sprigg to accept the Treasurer's report as written.

Second by Supervisor Decker.

Discussion; there wasn't any discussion regarding the treasurer's report.

The motion carried.

Treasurer's Memorandum

Item #1 - premium for code 994, volunteer fireman; supervisor Stonesifer asked if the amount in the memo was calculated in the budget. Treasurer Williams said that she would have to review it to be sure.

A motion was made by supervisor Stonesifer to pay Franklin Township's portion of the code 994 volunteer fireman premium, estimated to be \$13,352, when the bill is received.

Second by Vice Chairman Sprigg.

The motion carried.

Item # 2 Department of revenue local earned income tax collection study - Treasurer Williams said this is just a yes or no answer pertaining to the current process being used for local earned income tax collection by YATB and should there be a centralized statewide system for collecting the local earned income tax? Treasurer Williams clarified the supervisors answer to question one as yes, the board is satisfied with the local earned income tax collection by YATB and question two, the board is not in favor of a centralized statewide system for collecting the local earned income tax.

June Item #3 – Adams Rescue Mission on fuel surcharge fee was satisfied at the June meeting and the Township's Recycling center is not a conflict with the trash pickup. Discussion ensued on the possibility of the recycling center closing due to some issues Mrs. Trygg, the recycling center coordinator is working through with the Adams rescue Mission.

A motion was made by supervisor Ryan to amend the payment of the bills to pay the Adams County Rescue Mission quarterly rather than annually.

Second by supervisor Stonesifer.

The motion carried.

BCO REPORT

Land and Sea Services submitted a report.

ZONING OFFICER REPORT

A report was submitted by the Zoning Officer.

Zoning Officer Fahey reported that he did have one violation to write up, but he stopped to inspect the property in violation and determined that it was complying so, there was no violation to be written. Zoning officer Fahey said there was a second junkyard violation on Baltimore Street that he inspected, and it appeared property owner did try to "tidy up" by arranging into piles.

Item #3 on report pertains to Animal Control Officer for the Township, Zoning Officer said he sees the representative is present, so he will wait for her to report to the Board.

Item #4 regarding livestock in Residential District was discussed at the PC meeting. Engineer Brath said the PC did review the ordinance. Supervisor Ryan clarified the PC reviewed the subject but needs time to gather more information. Zoning Officer Fahey said that is correct.

Lerew wedding chapel, Zoning Officer Fahey said he reviewed the request and determined it would need to go before the ZHB for a determination.

Item #11 regarding the placement of an apartment in a basement of a home. Zoning officer Fahey said he spoke with the previous codes officer who confirmed basement was approved as a finished basement and not an apartment.

SUBDIVISION AND LAND DEVELOPMENT

Fleming/Goda plan – Time extension request. Engineer Brath said the BOS last date to act on the plan is October 10, 2018.

A motion was made by supervisor Stonesifer to accept the time extension request through October 31, 2018.

Second by Supervisor Ryan.

Discussion: there wasn't any discussion.

The motion carried.

Williams plan – Time extension request. Engineer Brath said Dieffenbach/Wadel engineering granted a time extension for 90 days until November 3, 2018, and the board will need to act by October 10, 2018.

A motion was made by Supervisor Stonesifer to accept the time extension request to November 3, 2018.

Second by Supervisor Ryan.

Discussion: there wasn't any discussion.

The motion carried.

Heavenwood Farms – Time extension request. Engineer Brath said engineer Hoover has granted a 180-day time extension for rendering a decision on final land development plan from August 30, 2018 making the extended time through January 1, 2019.

A motion was made by supervisor Stonesifer to accept the Heavenwood Farms Time extension through January 1, 2019.

Second by Vice Chairman Sprigg.

Discussion: supervisor Ryan said he had something for discussion. He said he is seeing plans that are being moved from the planning commission up to the Board of Supervisors where they sit for an extended period. Supervisor Ryan said he would like to see plans stay with the planning commission until they are ready for final approval to come to the board of supervisors. Engineer Brath said he understood and would make a better effort to see that happens.

The motion carried.

Gingrich Final Plan – request for BOS signatures and forward to YCPC. Engineer Brath said the plan is here he reviewed it and found it to comply. Engineer Brath said there isn't any HOP permit for the two entrances off S. Mountain Rd. and he has asked Mrs. Gingrich to provide those. Engineer Brath said that it is in the Township's best interest to secure those permits, however it is true that PennDOT does not like to supply the permits prior to the approval of the plans. Engineer Brath said present Township ordinance does not require the HOP permit prior to approval of the plan. Engineer Brath said he is okay

with the plan the way that it is and would recommend it be signed. Discussion ensued on how to obtain the HOP permits. Mrs. Gingrich said it would be an undue hardship for the Township to require these permits now after all the time that's passed and all the hoops they've gone through to get the plans for the board for signing. Mrs. Gingrich asked that the board not require the permits since the ordinance doesn't require them. Vice Chairman Sprigg said that no one on board opposes the signing of the plans. Vice Chairman Sprigg said he wasn't sure the plan would be signed at this meeting but rather the Township could write a letter to PennDOT to keep the process moving forward. Mrs. Gingrich said she felt this was unnecessary as the ordinance does not require the permits. Mrs. Gingrich asked why she should be put through unnecessary hardship when the plan is ready to be signed as it is, and they have complied with everything that was asked of them for completion. Engineer Brath in general, every property must have access to a road, right-of-way or Street. Engineer Brath said he believes that permits should be obtained prior to developing a piece of property. Discussion ensued regarding the HOP permits and that the Gingrich's had done everything according to the ordinance that needed to be completed including notes placed on the plan.

A motion was made by supervisor Stonesifer for the Board of Supervisors to sign off on the Gingrich subdivision plan.

Second by Vice Chairman Sprigg.

The motion carried.

REPORTS

Solicitor

Solicitor Shaffer said he had nothing to report, but did the board want him to attend the zoning hearing board on July 16, 2018 to represent the Township on the matter of Heavenwood Farms. Supervisor Ryan asked if there was a possibility that the results of the zoning hearing board could end up in appeal. Solicitor Shaffer said there is a possibility it could. Supervisor Ryan said it's his understanding the board would like to avoid litigation so, he recommends solicitor Shaffer to attend the zoning hearing board meeting on July 16, 2018. Supervisor Stonesifer said he concurs with supervisor Ryan's suggestion.

Roadmaster Supervisor Ryan reported that the road crew is requesting from the Board of Supervisors to purchase the W. Greenhouse Rd. Bridge structure from Contech prior to getting the permit. Supervisor Stonesifer said he agrees as this is what he said at last month's meeting. Supervisor Stonesifer asked what the turnaround time was to order a structure. Supervisor Ryan said six weeks, one week from the time they are contacted to approve it, one week to design and one week for the design to be approved. Discussion ensued on the design and the capability of being able to install the structure once it's received by the Township.

A motion was made by supervisor Stonesifer to order the structure.

Second by Vice Chairman Sprigg.

Discussion: supervisor Decker asked about the cost. Supervisor Ryan said approximately \$29,000. He said there was an additional wing that increased the price to \$33,000.

The motion carried.

Supervisor Ryan said County line Road project for 2019, paving of approximately 8.5 miles, there's a stream crossing which is creating a bit of an issue, there's a tile that needs replaced and cannot be done without a permit. Supervisor Ryan said he is requesting permission for the engineer to get the permit to replace the tile drain on County line Road. Supervisor Ryan said an inspection has already been completed

on the area. Engineer Brath said that he too has completed a review, the area is less than a square mile, so he can use the GP7, but this is still a bog turtle area. Engineer Brath said there is someone in the Township that has offered to do the study for free.

A motion was made by supervisor Stonesifer to apply for the permits to replace the drain tile.

Second by supervisor Decker.

The motion carried.

Supervisor Ryan said he has received some complaints about the use of Jake brakes on Range end Road, that when trucks are traveling the road the drivers are applying the Jake brakes which create a nuisance noise. Discussion ensued on posting a sign without an ordinance to enforce it. Supervisor Ryan said he could investigate the matter.

Supervisor Ryan said the skagg mower is getting high in the number of hours on it and asked about replacing it. Supervisor Stonesifer said other municipalities have someone else contracted to mow the municipality properties and there must be reason other municipalities don't mow their own grass. Vice Chairman Sprigg asked what the mower is used for, is it parks or other areas as well.

Supervisor Ryan reported on the extensive work needed to complete the Franklinton Road project, he said there are trees to remove, stumps to grind to widen.

A motion was made by supervisor Stonesifer to send the project out for bid.

Second by Vice Chairman Sprigg.

Discussion: there was discussion on other upcoming road projects.

The motion carried.

Supervisor Ryan said the roller had to be sold for compliance issues and due to the work to be completed on the upcoming road projects the Township may want to consider options of renting or purchasing a roller for the projects. Supervisor Ryan reported the cost to rent one is \$5000 per year or \$30,000 to purchase one or the Township could look at Muni-bid to purchase a used roller. Supervisor Ryan said he would recommend pursuing the used roller. The Township could have a mechanic inspect the machine before it is purchased. Discussion ensued on how to transport the roller from project to project. Vice Chairman Sprigg said he would like to see numbers on renting versus purchasing a roller before he could decide.

Parks & Recreation – A report was submitted, nothing further to add.

Discussion ensued pertaining to metal detecting in the parks, is it allowed. Secretary Adams said someone called to ask permission. A sample permit was provided from another Municipality. Solicitor Shaffer said if it's something the Township wants to enforce then there should be an ordinance otherwise it would be policy. It was discussed if the detecting isn't creating any holes on the ball fields that could cause injury then metal detecting would be permissible in the parks.

NEW BUSINESS

Wedding Chapel – Zoning Officer Fahey said he believes it will have to go before the Zoning Hearing Board for the use of the facility.

Employee Handbook Draft Review – Vice Chairman Sprigg said he reviewed his copy of the draft and found there is a lot of material to be reviewed and feels that it's not appropriate to try to review all the

material covered in a regular meeting. Vice Chairman Sprigg said he feels there's enough materials for at least 2 hours of review and that a workshop would need to be scheduled to conduct a review of the handbook. Supervisor Stonesifer agreed with Vice Chairman Sprigg's decision. No action was taken on the Employee Handbook, the review was tabled for next month's meeting to set workshop date.

Email attachments/copies should fee be applied – Supervisor Ryan said this is regarding the Fee Schedule for copies. Discussion ensued not to charge for email attachments.

Animal Control Contact and Contract –Julia Drebushenko submitted an Animal Control Contract before the BOS meeting for the Supervisors to review. Julia Drebushenko was present to report on the matter and answer questions the Supervisors may have.

OLD BUSINESS

Adams Rescue Mission covered previously in the meeting.

Granny Flat decision from YCPC – Secretary Adams said she did call but Sharon Boyer, the contact on the issue was out of the office and Secretary Adams said that she would try to make contact again prior to the next BOS meeting.

CORRESPONDENCE

Regan / Keefer correspondence – Vice Chairman Sprigg said this matter has already been addressed and there is nothing further to report at this time.

Displeased Resident with Waste Disposal – Mr. Tucker was present to express his concerns regarding the matter.

PUBLIC COMMENT (Resident Concerns)

Mr. Tucker said his email referenced the Waste Management contract. He moved to the Township a few years ago, he had dealings with Waste Management who raised their rates again and again. He said the country is founded on a free market and wondered how the BOS could ban the competition and not allow the residents to choose their own trash hauler. He said residents need to be made aware of changes. Supervisor Ryan said the trash was advertised in the newspaper, again in the Township Newsletter that was mailed to residents and posted on the Township website. Supervisor Ryan said Mr. Tucker should review the Township website and sign up for alerts, so he is kept informed.

Nancy Rohrbaugh, 30 Ken-Lin Drive. She spoke to the BOS on animal control and advised the Board that the Township need to be a member or participate in a program with the York County SPCA which the Township currently does not participate and is not a member. Ms. Rohrbaugh reported that in 2016 the SPCA took in 17 strays from Franklin Township and 2017 the SPCA took in 25 strays from the Township, these numbers did not include animals that were scanned for chips to find their owners nor the number of wellness checks completed. Ms. Rohrbaugh reported work currently done by the SPCA has been pro-bono and this means that other municipalities are picking up the slack from Franklin Townships non-participation with the York County SPCA. On a side note Ms. Rohrbaugh asked that Haar's Crossing be added to the list of Township parks on the website.

Sean Smith, May Drive. Mr. Smith said his father-in-law lives across the street and doesn't use curb-side trash service but received a letter and a bill. Mr. Smith said he wasn't happy about how the residents were informed about the trash service. Mr. Smith told the Board carts with wheels were dropped off to each household. Mr. Smith said he did not receive a letter indicating he had choices, when he approached the driver delivering the cans he was told to keep it and use it for something else. The Board said the contract

is for 2 years and at that time will be re-bid. The Board told Mr. Smith the price will not change; the current rate is for 2 years.

Kathleen Gingrich, S. Mountain Rd. said she is trying to get an additional recycle can but has had no luck. Supervisors said Waste Management will be out in the coming days to drop off other cans.

EXECUTIVE SESSION

There was no Executive Session held at this time.

ADJOURNMENT

A motion to adjourn was made by Supervisor Stonesifer at 9:22 p.m.

Second by Vice Chairman Sprigg.

The motion carried.

Respectfully submitted,

Teresa Adams

Franklin Township Secretary