

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
August 8, 2018**

CALL TO ORDER:

The August 8, 2018 BOS Regular Meeting was called to order at 7:00 p.m. by Chairman Kevin Cummings

ROLL CALL

Present:

Chairman Kevin Cummings
Vice Chairman David Sprigg
Supervisor Naomi Decker
Supervisor Eric Stonesifer
Supervisor Michael Ryan

Solicitor Bret Shaffer
Engineer Phillip Brath
Secretary Teresa Adams

ABSENT:

Treasurer Pam Williams

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 Chairman Cummings.

APPROVAL OF MINUTES

A motion was made by Vice Chairman Sprigg to approve the minutes as submitted for the BOS Regular Meeting on July 11, 2018.

Second by Chairman Cummings.

Discussion: Engineer Brath said there was a spelling error on page 6 under roadmaster's report the name of company is spelled Contech.

The motion carried as amended.

A motion was made by Chairman Cummings to approve the minutes for the BOS special meeting on July 19, 2018 as submitted.

Second by Vice Chairman Sprigg

Discussion: supervisor Decker said regarding the Keefer property, on page 3 under the motion it indicates a conditional use, but it should read a "nonconforming use". The motion should be as follows: "A motion was made by supervisor Decker to appeal the zoning officer's decision based on the letter dated August 5, 2010 written by solicitor McNeal, condition 11, indicating any additional change or expansion to the present nonconforming use the applicant must go before the Zoning Hearing Board".

The motion carried with Supervisor Stonesifer abstaining due to his absence from the meeting.

PUBLIC COMMENT ON ITEMS ON THE AGENDA

Bess Criswell, 1288 South Mountain Rd.-attended the meeting to discuss waste management concerns. Ms. Criswell said she felt it necessary to comment on the board of supervisors meddling in her private affairs and that of the free enterprise system. She asked how is it the business of the Township supervisors to choose who picks up her trash especially when she received no notification, Ms. Criswell went on to say that she did receive notification as an existing customer indicating her current plan would not change,

which it has changed, as far as the number of bags she can place at the curb decreased from 6 bags to 4 bags and the price of service increased by \$10 per quarter. She said it's not the purpose of government to provide for her needs. She asked what she is to do with her 2 additional bags of trash, bring them to the Township every week. Chairman Cummings sympathized with Ms. Criswell and said the contract is for 2 years and will be revisited July 2019 but until then there isn't a whole lot that can be done. Supervisor Ryan said it's mandated in the Second-Class Township handbook residents are to have a trash hauler.

Robert Burns, 34 Rocky Ridge Rd.-attended the meeting to discuss notice he received from waste management about trash pickup. Mr. Burns said he did call waste management and said he was interested in the pay as you throw option, where you get a certain amount of tags per year. Mr. Burns said he signed up online for this option and made the payment for the tags and after numerous phone calls he has not received his tags. Mr. Burns said he was told by waste management he could purchase the tags at the Township. Sec. Adams said she spoke with waste management representative Tom Stang as she had another resident with the same situation and representative Stang said that he would resolve the issue. The other resident was present and said her tags were personally delivered. Mrs. Gingrich said she had similar situation with recycle bins not being delivered and believes they are just overwhelmed. Sec. Adams said there were several municipalities beginning trash pickup with waste management at the same time.

ORGANIZATION REPORTS

Police – Vice Chairman Sprigg said calls are currently down but still running approximately 5% higher than one year ago. Vice Chairman said there was just one note, thanks to information received the person who was observed and reported doing doughnuts at Ponderosa Park has been issued a fine.

Fire – Chairman Cummings said an email was sent by chief McClintock regarding his and chief Whitzel's contact information. Chairman Cummings said he wasn't present at the July meeting to know the results of the fire company grant. Vice Chairman Sprigg said that he believed it was tabled. Chairman Cummings asked to review a letter that was sent previously regarding the pending fire company merger and grant. Chairman Cummings said he was relaying a message from chief McClintock that no one reached out to him regarding the grant. There was discussion regarding a proposed budget for the merged company, if there was one yet and the forming of an advisory committee that municipalities were being asked to send representatives. There was also discussion regarding the municipalities financial obligation as the Township currently contributes toward workers compensation, fire truck payment, etc. Chairman Cummings asked solicitor Shaffer if the wording in the grant could be changed so the Township would not be obligated financially. Solicitor Shaffer said Dillsburg wrote their resolution to state they support the fire company regarding the merger. There was more discussion on the use of the grant money, that it was for the rebranding after the merger is complete and that the Township currently does financially support the fire company. Supervisor Ryan said Dave Thompson of Franklinton community fire company would be the liaison to the board of supervisors. Chairman Cummings said pertaining to the resolution, using Dillsburg Borough's as a guide, strike Council of the borough of Dillsburg and replace it with the resolution of Franklin Township, York County, Pennsylvania applied, and on the last line where it says be it further resolved that, change to the Township of Franklin. Chairman Cummings asked if there was different wording that could be used in place of "in kind" the board of supervisors agreed and the words "in kind" were removed to relieve the board from any financial obligation. Supervisor Decker said to say that the Township board of supervisors supports the application for the grant. Chairman Cummings clarified saying, supporting the application for the Pennsylvania municipal assistance program for a fire company merger. Discussion ensued on whether the Board of Supervisors wants two fire companies or supports the merger into one fire company. Chairman Cummings asked the board what part of the merger

they did not agree with. Discussion ensued on the supervisor's concerns. Supervisor Decker asked why the Township couldn't use Dillsburg Borough's resolution and strike the last line. Solicitor Shaffer said the resolution could be as simple as one line stating the Franklin Township Board of Supervisors supports the application for the grant from the municipal assistance program for Citizen Hose Company and Franklinton Community Fire Company.

Motion was made by Vice Chairman Sprigg to accept the Resolution for the application for the grant from the municipal assistance program for Citizen Hose Company and Franklinton Community Fire Company as amended.

Second by Supervisor Ryan.

The motion carried.

EMS – Advisory Committee – Supervisor Stonesifer said there were 28 calls but was unclear how many were missed, chairman Cummings asked Sec. Adams to find out if there were any missed calls in the month of July.

DAA – A report was submitted.

Emergency Management – No Report submitted this meeting.

Route 15 Committee Meeting – Nothing to report this meeting.

Engineer's Report – Engineer Philip Brath reported on the County Line Road culvert project. Engineer Brath said the resident of the Township has volunteered to do the bog turtle study at no cost to the Township which should save the Township a couple of thousand dollars. Supervisor Decker said the Township should send a letter of recognition and thank him for doing the study. Engineer Brath said permit should be back within the next week. Supervisor Ryan said this is needed to do the work on County line Road.

Engineer Brath reported he's working on Franklinton road paving project to be able to post it for bid. Engineer Brath said he's just looking for a cost-effective way to be able to get it to bid.

Discussion ensued regarding Mr. Clauser's bill for engineering fees.

APPROVAL AND PAYMENT OF BILLS

A motion was made by Supervisor Stonesifer to pay the bills.

Second by supervisor Chairman Cummings.

The motion carried.

Treasurer's Report

A motion was made by Chairman Cummings to approve treasure's report.

Second by supervisor Stonesifer.

Discussion; supervisor Decker said every year there is the same question regarding charges for the portable toilets in the parks. Supervisor Ryan said the reason for the toilet at Century Lane Park is to be ADA compliant.

The motion carried.

Treasurer's Memorandum

Chairman Cummings said that Treas. Williams is proposing a budget meeting date to be set for Tuesday, September 25, 2018. The 1st budget meeting was set for the September 25, 2018 beginning at 6:30 PM.

BCO REPORT

Land and Sea Services submitted a report.

ZONING OFFICER REPORT

A report was submitted by the Zoning Officer. Zoning officer Fahey reported he has 6 things to report on this meeting.

1. The first paragraph of his report regarding a nondisclosure issue for a conditional use hearing turned out to be false information and not to be the case.
2. Regarding the S. Mountain Rd. junkyard investigation, the property owner has cleaned up everything and has become compliant with the zoning ordinances. The second junkyard investigation on Baltimore Street has also become compliant and now has only one unlicensed vehicle, which is allowed.
3. Zoning officer Fahey said he will be requesting a building permit for a sunroom that he has started and never completed.
4. Zoning officer Fahey said he received a complaint regarding a floodplain issue but upon investigation found the area is not a floodplain and a building will be erected to shelter miniature donkeys.
5. Zoning officer Fahey said he received a call from a realtor regarding an underground storage tank or fuel tank that was installed in the seventies and was used for fuel to heat a swimming pool, it is no longer being used for that purpose. Zoning officer Fahey asked the board if they would address care and maintenance of underground storage tanks. Mrs. Gingrich said the department of environmental protection has a whole section regarding abandoned underground storage tanks where the soil needs to be tested, the tank should be removed, and holes punctured into it and the tank needs to be filled with sand, so that nothing can be put into the tank. Mrs. Gingrich said the article is called abandoned underground storage tanks. Supervisor Stonesifer said DEP should be called by the concerned person.
6. Zoning officer Fahey received an invitation to attend a seminar on underground pipelines which he handed out to the Board of Supervisors.

Supervisor Decker asked about the ability to expand a business 50% under conditional use. Supervisor Ryan said it's a condition of the ordinance and needs to be addressed by the Zoning Hearing Board.

SUBDIVISION AND LAND DEVELOPMENT

Fleming/Goda plan – solicitor Shaffer said there was an issue raised by attorney Linsenbach and said the plan should be discussed in the executive session scheduled.

Williams – Engineer Brath said this plan is currently in process. Supervisor Ryan reported timeline is up to date no action is needed at this time.

Hoffman – Engineer Brath said this plan is currently in process. Supervisor Ryan reported timeline is up to date no action is needed at this time.

Spiece/Heavenwood – Engineer Brath said this plan is currently in process. Supervisor Ryan reported timeline is up to date no action is needed at this time.

MUNICIPALITY REPORTS

Solicitor

Solicitor Shaffer said he filed a complaint against Sam Elicker at the district justice office regarding failure to have a storm water management plan. Solicitor Shaffer said there will probably be a hearing within the next thirty days and he would need to talk to zoning officer Fahey or engineer Brath about attending that. Engineer Brath said he'd like to follow up, the Elicker's have filed a stormwater management plan which is currently under review by engineer Brath and his staff. Supervisor Decker asked how the building construction fits into this complaint. Supervisor Ryan said that it is replacing a building that was torn down. Engineer Brath said the new building is going on the old buildings footprint. Solicitor Shaffer said

this would resolve all the issues. Engineer Brath said not yet, an NPDES permit is needed and there will be multiple comments as it is not complete. Engineer Brath said they have submitted a plan but there is more that needs to be completed. Solicitor Shaffer said he remembers there was a certain amount of planning to do but only a certain amount that Mr. Elicker was willing to do. Engineer Brath said Mr. Elicker has a certain amount of planning he does not want to do until he knows the status of the permits because there are significant costs in the next steps. A discussion ensued regarding conditional use and stormwater management practices. Chairman Cummings said the discussion needed to be concluded during the Executive Session.

Roadmaster Supervisor Ryan reported on rental prices for a Roller, Remcon's price is the cheapest at \$200.00 and includes pickup and delivery. Supervisor Ryan said they are looking for a Roller that weighs less than 5,000 lbs. so it can be hauled on the trailer used to transport mowing equipment. Supervisor Ryan said the gate would need to be modified and the cost would be approximately \$800.00 and would allow for hauling other equipment when needed. Supervisor Ryan said he priced new trailers and found only one company that would do a trade on a trailer and the average cost on a trailer is approximately \$5,000.00. Supervisor Ryan said the better choice is to change the gate on the current trailer and use what the Township already uses.

Supervisor Ryan reported on cinders and salt for use on Township roads during the winter

2016 Township spent \$1360.00 on cinders and \$7600.00 on salt.

2017 Township spent \$1803.00 on cinders and \$3092.00 on salt.

2018 Township will spend \$3926.00 on cinders and \$7400.00 on salt.

Supervisor Ryan said the past winter was very expensive.

Supervisor Ryan said he found pipe for his road projects through Chemung that are \$3.00 per foot cheaper than other places.

Parks & Recreation – Terry Hoffman gave a report on the parks. Mrs. Hoffman said the P&R committee voted to get more bleachers. Mrs. Hoffman said the P&R created an order form for ordering trees, benches and plaques and a book has been created for storing the pavilion rental forms, so the committee can stay informed. Mrs. Hoffman asked for keys or someone to open buildings at the parks for inspections during the next P&R meeting. Discussion ensued about pavilion rental, the pavilion is not rented unless payment is received. It was discussed that callers are to be made aware of this policy.

NEW BUSINESS

A Budget Workshop was scheduled for Tuesday, September 25, 2018 beginning at 6:30 p.m.

A date was set for Conditional Use Hearing on Wednesday, September 12, 2018 beginning at 6:30 p.m. to hear Case #2018-2.

The Steep Slope correspondence received from York County Planning Commission and recommendations from the Franklin Township Planning were received and reviewed. A public hearing date was set for Wednesday, September 19, 2018 beginning at 7:00 p.m. to allow public comment and for the BOS to act on the amendment to the Zoning Ordinance.

A motion was made by Chairman Cummings to schedule the public hearing on the Steep Slope amendment.

Second by Supervisor Ryan.

The motion carried.

OLD BUSINESS

A Workshop meeting date was set for Wednesday, August 29, 2018 beginning at 6:30 p.m., to review and amend the Franklin Township Employee Handbook.

CORRESPONDENCE

No correspondence was received.

PUBLIC COMMENT (Resident Concerns)

Mrs. Gingrich asked if the Steep Slope ordinance could be posted to the Township website for the public to view. Chairman Cummings said yes, it could be posted to the website.

Discussion ensued on hiring additional help to mow the parks and township building grounds while the road projects are being completed.

Solicitor Shaffer clarified that Secretary Adams is to send a copy of Fire Company Grant to Rob Brady. Discussion was lead by Supervisor Ryan on the Township Zoning. Supervisor Ryan said he has found zoning to be very costly and cumbersome. Supervisor Ryan feels the ZHB feels zoning to be very restrictive. Supervisor Ryan asked the BOS for their opinion on zoning and ask if it was needed in the Township or could the Township operate off the SALDO. Chairman Cummings said it is a matter the BOS needs to review and discuss at a later time.

EXECUTIVE SESSION

The Supervisors went into Executive Session at 9:10 p.m. with possible action to be taken and reconvened at 9:43 p.m. with no action taken.

ADJOURNMENT

A motion to adjourn was made by Supervisor Stonesifer at 9:45 p.m.

Second by Vice Chairman Sprigg.

The motion carried.

Respectfully submitted,

Teresa Adams

Franklin Township Secretary