

**FRANKLIN TOWNSHIP YORK COUNTY PA  
BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
November 14, 2018**

Revised 12-11-2018

**ROLL CALL**

**PRESENT:**

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

Solicitor Bret Shaffer  
Engineer Phillip Brath  
Secretary Teresa Adams

**ABSENT:**

Supervisor Eric Stonesifer

**CALL TO ORDER:**

The November 14, 2018 BOS Regular Meeting was called to order at 7:00 p.m. by Chairman Kevin Cummings. The meeting was held at 150 Century Lane, Dillsburg, PA. Visitors in attendance please see attached sign-in sheet.

**PLEDGE OF ALLEGIANCE AND PRAYER**

Pledge of allegiance and prayer were led by Chairman Cummings.

**APPROVAL OF MINUTES**

**September 19, 2018 Conditional Use Hearing and Public Hearing**

**A motion** was made by Vice Chairman Sprigg to approve the minutes.

**Second** by Chairman Cummings.

**Discussion:** Vice Chairman Sprigg asked why there were so many garbled areas on the minutes. Secretary Adams said it was from the transcribing device not correctly recording what she was dictating.

**The motion carried.**

**BOS Regular Meeting minutes of October 10, 2018**

**A motion** was made by Chairman Cummings to approve the regular meeting minutes.

**Second** by Vice Chairman Sprigg.

**Discussion:** Supervisor Decker said she and Secretary Adams went over the minutes and made minor corrections.

**The motion carried.**

**Mowing bid opening**

There was only one bid package received from AG2 Enterprises. The bid was for 46 acres covering 4 parks, Twin Hills Park, Century Lane Park, Ponderosa Park, Park near Chainsaw Road and around the Township Building. The cost submitted was for \$37,000 annually, the weekly per cut would be \$1423.08. Vice Chairman Sprigg said he thought the board was only doing comparison-shopping.

**A motion** was made by Vice Chairman Sprigg to table the mowing bid.

**Second** by supervisor Ryan.

**Discussion:** Vice Chairman Sprigg said he'd really like to see the numbers for a part-time seasonal employee before any decision is made.

**The motion carried.**

**PUBLIC COMMENT**

**Dillsburg Area Soccer Association** representatives from the association, Dawn Lusk, 131 Tuckahoe Rd. and Jim McClay of Lewisberry, Warrington Township submitted a letter from the soccer Association addressing a complaint made about the recent soccer tournament and the issue with the handicap parking being blocked. Both Mrs. Lusk and Mr. McClay apologized for the issue and said that steps were being taken to resolve the issue from happening in the future. Chairman Cummings thanked each representative for coming and commended them on a job well done at the tournament. Chairman Cummings said the issue was on a personal level with him as his wife is disabled. A discussion ensued with Chairman Cummings expressing his concerns about the blocking of the handicap parking areas.

## **ORGANIZATION REPORTS**

**Police** - Chairman Sprigg said he had nothing to report.

**Fire** - Chief McClintock reported:

- There were 64 incidents the departments responded to in the month of October, total year to date 477
- 11 incidents were in Franklin Township total year to date 101 for the Township.
- October was the busiest month so far in the year.
- Both departments applied for state grants of \$13,000 each department, Dillsburg and Franklinton, Chief McClintock said that both departments may apply separately for up to 5 years for grants after merging
- The ribbon cutting ceremony was held in October, chief McClintock thanked Chairman Cummings for attending and said Representative Dawn Keefer did the swearing in of officers in the absence of District Justice Thomas.
- A meeting is to take place for the budget of the new fire company with Rob Brady to coordinate the business plan, expenditures etc.
- The fire hydrant at **May Drive** was not functioning at the time of a fire that broke out recently in the Township, annual Flushing had been done, the hydrant malfunction was due to operator error.
- Vice Chairman Sprigg had a question regarding the budget, professional fees, in particular the salary of the manager position being \$100,000 annually. Chief McClintock said this position has to be multifaceted to run the business, drive/operate fire trucks and equipment and act as codes officer.
- Chief McClintock said that grants will make up for shortfalls in the budget
- The advisory meeting is the 3<sup>rd</sup> Tuesday of each month

**EMS – Advisory** – Nothing to report.

**DAA**- a report was submitted.

A discussion ensued regarding the Franklinton Clean Water Coalition, it was discussed that Lynn Potts is representative for the Township on the DAA Interconnect Committee.

**Emergency Management**- Email from Laurin Fleming was submitted. Supervisor Ryan said that Mr. Fleming will stay with the Township as Emergency Management coordinator. Supervisor Ryan said there was a form received for federal surplus that needs to be signed by Chairman Cummings and returned along with a list of items that are needed or wanted. Supervisor Ryan said that Mr. Fleming utilizes these resources.

**Route 15 Transportation** - supervisor Ryan said road flooding survey was completed and engineer Brath sent SWM to Representative Dawn Keefer's office.

**Engineer's Report**- Engineer Brath submitted a report. Engineer Brath said Franklin Glen storm water issues need to be addressed legally to get moving forward. Supervisor Ryan said the retention pond is a complete failure and does not function as it is intended to function. Solicitor Shaffer said he would like to discuss the legal action to be taken in an executive session.

## **APPROVAL AND PAYMENT OF BILLS**

A **motion** was made by Chairman Cummings to approve and pay the bills.

**Second** by Vice Chairman Sprigg.

**Discussion:** there was no discussion.

**The motion carried.**

## **TREASURER'S CORRESPONDENCE**

### **Treasurers Report**

A **motion** was made by Chairman Cummings to accept the report as submitted.

**Second** by Supervisor Ryan.

**Discussion:** there was no discussion.

**The motion carried.**

### **Treasurers Memo**

**#1 EMC Wi-Fi & Phone-**Stamm Solutions has been notified this is ready for repair, Mr. Fleming had ordered new laptops not sure if they are affected by the issues taking place. Supervisor Ryan said 2-inch conduit has been run to house the wires to be installed. Supervisor Ryan said the conduit size is more than adequate for the work to be completed.

**#2 Park & Rec request-**lighting completed, which fund is to be used for payment, it was discussed to use the Parks & Rec fund.

### **BCO REPORT**

A report was submitted.

Supervisor Ryan said an Audit was conducted on UCC compliance and a determination letter was received indicating the Handicap ramp at the front of the Township office is not UCC compliant. Supervisor Ryan said the letter gives details on what is needed to bring this area into compliance. Supervisor Ryan said he would like to contact the contractor that installed the access ramp and have them make the necessary corrections to become compliant with the UCC codes.

### **ZONING OFFICER'S REPORT**

A report was submitted.

#1. 630 Capitol Hill Road – an illegal road leading to the rear of the property was completed and is now creating SWM issues. Engineer Brath said that a simplified approach would solve the issue at hand.

#5. Time required to post a property for a Conditional Use Hearing – according to the PSATS recommendation print out for advertising, the advertisement on Steep Slope CUH should be 10 days but not before 30 days and no more than 7 days prior to the hearing.

#9. 40 Acoma Drive apartment – it was recommended by the Township SEO to continue allowing the use of the apartment by the property owner but that they understand the Township is not to be held liable for failure of the current sewage system.

### **SUBDIVISION AND LAND DEVELOPMENT**

**Eichelberger, 1294 South Mountain Road-**a time extension was submitted by Hoover Engineering until December 31, 2018.

**A motion** was made by Chairman Cummings to grant a time extension for Scott Eichelberger Subdivision plan until December 31, 2018.

**Second** by Supervisor Ryan.

**Discussion:** there wasn't any discussion.

**The motion carried.**

**John O. Hoffman Estate Subdivision-**a discussion ensued on the fast approaching December 9, 2018 deadline and outstanding items from the Township Engineer's review letter, such as, a plan **withdrawal** letter, payment of fees needed on the plan for filing. A letter, email or phone call is to be made to Mr. Neubaum to follow up on the status of these items.

### **MUNICIPAL REPORTS**

**Solicitor**–Solicitor Shaffer said he would like to have an Executive Session to discuss the Sam Elicker case, Franklin Glen stormwater issue, Bennington lawsuit.

**Road Master-**Supervisor Ryan reported:

- Franklin Glenn road is collapsing due to ongoing pond drainage issue.
- Parks are closed for the season.

- Equipment is fitted with snow removal apparatus.
- Water street project, Township needs a right of way easement.
- Contech issued price on structure for water street project.
- Height and weight restrictions for County Line Road is moving forward, height restriction of 13' 6" and weight restriction of 7,000 pounds.

**Parks & Rec**-Minutes were submitted to the BOS. Supervisor Ryan said work orders are being submitted and signed off when completed.

### **NEW BUSINESS**

**Office liaison recommends anyone receiving emails from Township Secretary should have a Township email address at start of 2019.** Supervisor Ryan said this is something PSATS recommends. Treasurer Williams is to review what steps are involved to set up the emails, cost involve to do so, if any.

**Review letters of consideration to fill PC vacancies.** Supervisor Ryan said he conducted interviews with the applicants and the outcome to be **discussed** in Executive Session.

### **OLD BUSINESS**

**Employee Handbook**-Chairman Cummings said the review will be tabled until December's BOS meeting. Chairman Cummings said that he would like Supervisor Stonesifer to be present for the review of the handbook.

### **CORRESPONDENCE**

**Letter of resignation from PC received from Naomi Decker.** Chairman Cummings said a letter was received from Supervisor Decker to resign from the **PC**. Chairman Cummings thanked Supervisor Decker for her willingness to fill a vacancy due to the passing of Mr. Yerger and the work she has done on that committee.

**UCC Audit Results**-were previously discussed in the BOS meeting.

**Tax Collector Correspondence**-Treasurer Williams said a letter was received from Tax Collector Rhonda Harpster regarding fee for duplicate tax bills \$3.00 versus \$5.00 and the fee of \$5.00 will be charged in 2019.

### **PUBLIC COMMENT**

**Nancy Rohrbaugh, 30 Ken-Lin Drive**-Mrs. Rohrbaugh said she would like to encourage the BOS to consider signing a contract with the SPCA in lieu of the recent rabies case that just happened in the Township. She said pet owners should be made responsible for the care of their pets including inoculations. Mrs. Rohrbaugh said there is a nearby Animal Control Officer available to assist in these matters as well and Mrs. Rohrbaugh would encourage signing her up for the use of her services.

### **EXECUTIVE SESSION**

The BOS went into Executive Session at 8:30 p.m.

The BOS reconvened at 9:05 p.m.

**Franklin Glen SWM issue** – The BOS asked Solicitor Shaffer to file legal petition to get the Homeowners Association to address the issue with the stormwater retention pond and to make the necessary repairs needed.

**A motion** was made by Chairman Cummings for Solicitor Shaffer to file legal petition against Franklin Glen Homeowners Association to act.

**Second** by Supervisor Ryan.

**Discussion:** there wasn't any discussion.

**The motion carried.**

**PC vacancy positions to be filled.**

**A motion** was made by Chairman Cummings to appoint David Christensen to fill one vacancy seat on the **PC** with a term end date of December 31, 2019.

**Second** by Supervisor Ryan.

**Discussion:** there wasn't any discussion.

**The motion carried.**

**A motion** was made by Chairman Cummings to appoint Todd Lyons to fill one vacancy seat on the PC committee with a term end date of December 31, 2019.

**Second** by Supervisor Ryan.

**Discussion:** there wasn't any discussion.

**The motion carried.**

Chairman Cummings said there were 7 applicants and thanked everyone that turned in an application.

**ADJOURNMENT 9:08 p.m.**

**A motion** was made by Chairman Cummings to adjourn.

**Second** by Supervisor Ryan.

**The motion carried.**