

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS
SPECIAL MEETING AGENDA
June 26, 2019**

Roll Call

Present

**Eric Stonesifer
Kevin Cummings
Michael Ryan
Mark Wenrich
Naomi Decker**

Absent

**Solicitor Bret Shaffer
Secretary Teresa Adams**

Call to Order

The special meeting was called to order at 6:05 p.m. by Chairman Eric Stonesifer. The meeting was held at 150 Century Lane, Dillsburg, PA. Visitors in attendance please see attached sign-in sheet.

Pledge of Allegiance and Prayer

The Pledge of Allegiance was led by Chairman Stonesifer and prayer was said by Supervisor Naomi Decker.

Special meeting item for Elicker Land Use Appeal, 717 Range End Road

Solicitor Shaffer said he drafted a Settlement Agreement for the use of an excavating and construction business and also for a landscaping business. Solicitor Shaffer said the 715 Range End Road property will be used for the construction and excavating business and the 717 Range End Road property will be used for the landscaping business with each use allowing for de minimis pass through to the other without being considered in default. Solicitor Shaffer said the agreement covers the items previously discussed at the June 12, 2019 BOS meeting and that he is satisfied with the Agreement from a legal standpoint and if the BOS is satisfied as well, the only thing left is for a motion and approval of the Agreement as written. Discussion ensued on the nighttime activities being carried over to new owners/like businesses. Solicitor Shaffer said provisions would have to be included in the Agreement for that, currently it is not part of the Agreement. Solicitor Shaffer said it could be enforced as a deed restriction.

A motion was made by Supervisor Ryan to approve the Elicker Land Use Agreement.

Second by Chairman Stonesifer.

Discussion: There was no discussion.

The motion carried.

Executive Session

There was no executive session.

Clear Springs Apartment, 206 Capitol Hill Road

Chairman Stonesifer said a complaint was received about the poor conditions of the property. Chairman Stonesifer said a site visit was conducted earlier in the year by L&S and Supervisor Ryan and work had begun to correct the conditions. Solicitor Shaffer said L&S was concerned

about the cost involved for pursuing legal action. He said the court system can back L&S to pursue the corrections are being done but it can be costly and can take years to resolve. Vice Chairman Cummings said he has health concerns for the tenants living at the property and L&S should be allowed to do their job. Supervisor Ryan said the law states that the Zoning Officer is the front line for health and safety in any residential matter, that's why the county and state will not help these people. He said the Twp. has interjected already by doing the site visit, and found bad subfloors, electrical problems, roofs leaking, mold everywhere, foundations falling apart. Supervisor Ryan said the BOS has an obligation to send L&S out to do their job. Chairman Stonesifer said the Board authorizes L&S to move forward.

Executive Session

Chairman Stonesifer said there will be an Executive Session at the end of the meeting to discuss the Roadmaster Appointment.

Other Business

W. Greenhouse Road paving; Chairman Stonesifer said this is taken care of , Parvin is going to do the paving and Hempt Bros. is going to bring the materials for completing the project.

245 Stonehead property; Secretary Adams said the property owner was in contact with L&S about the property being a non-buildable lot. The adjoining properties have encroached on the property, 1 has a septic system on it, another has a fence, and another has a driveway that is partially on the property. The adjoiningers want to purchase a piece to correct their encroachment. L&S said this is probably ok to do as the lot is large enough to sell off those sections and still meet the ordinance requirement for a 2-acre minimum. Supervisor Ryan said if the septic is on the lot then it belongs to that property and it's a buildable lot. The Board said it will need to go to PC and follow the subdivision process.

Lot 20 Franklinton Road- L&S is having difficulty locating the plan for this property and asked if the BOS would know where it may be located as it is not in the planning closet on the planning rack. The BOS recommended to ask the PC if they could locate the plan during their Workshop meeting to update the log and hang newly recorded plans. Supervisor Decker said she would look for a copy of the plan in her files and make copies if they can't be located.

Franklin Glen update – Solicitor Shaffer said he spoke to the HOA attorney, but she has not responded. Solicitor Shaffer said the HOA knows they are to be submitting updates to the BOS or their Engineer can submit the updates for them. Solicitor Shaffer said he believes they are moving forward but are bad about updating. Solicitor Shaffer said he asked Engineer Brath if he has heard anything and he has not so therefore an update should be obtained before the next BOS meeting. Solicitor Shaffer said if there is no progress then there is an issue. Supervisor Ryan said he thought the HOA was to report every 2 weeks.

Wastewater Disposal Maintenance Agreements – Chairman Stonesifer said this agreement the BOS previously reviewed and the current one is the one that will be used going forward. Solicitor Shaffer said the way the BOS approved the agreements in the past was that each agreement would have the strictest provision from the 2 agreements used in the past.

A motion was made by Chairman Stonesifer to approve the Wastewater Disposal Maintenance Agreement as the standard agreement for Wastewater Disposal System.

Second by Vice Chairman Cummings.

Discussion: There was no discussion.

The motion carried.

Supervisor Ryan said the amounts will not all be the same and that they should be added to the Fee Schedule. He said an Appendix should be added to the schedule to include the fee per gal.

Public Comment

There was no public comment.

Executive Session

The BOS went into Executive Session at 6:33 p.m. **regarding personnel matters.**

The BOS returned from Executive Session at 6:57 p.m.

No decisions were made.

Adjournment

A motion was made by Chairman Stonesifer at 7:00 p.m. to adjourn.

Second by Supervisor Ryan.

The motion carried.

Respectfully submitted,

Teresa M. Adams

Teresa M. Adams, Secretary

Deadline for Agenda Items and Report Submission is Friday, July 5, 2019

Next Ordinance 2019-1

Next Regular BOS Meeting – July 10, 2019

Next Resolution 2019-9

Next Conditional Use Case # CUH2019-4