

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
August 11, 2021**

FINAL

1. Call to Order

The August 11th, 2021, Franklin Township Board of Supervisors (BOS) Meeting was called to order at 7:08 PM by Chairman Mark Wenrich. The meeting was held via Zoom and in person at 150 Century Lane, Dillsburg, PA. Visitors in attendance are listed on the meeting sign-in sheet.

2. Roll Call

Present:

Chairman Mark Wenrich
Vice Chairman Brian Galbraith
Supervisor Naomi Decker
Supervisor David Christensen
Supervisor David Buckwash
Solicitor Bret Shaffer (via Zoom)
Engineer Phillip Brath
Treasurer/Asst. Secretary Pamela Williams

Absent:

3. Pledge of Allegiance and Prayer

The Pledge of Allegiance and Prayer was led by Mark Wenrich.

4. Approval of Minutes

4.1 Approval of July 14, 2021, BOS Regular Meeting Minutes

A motion was made by Supervisor David Buckwash to approve the July 14, 2021, BOS Minutes with appropriate revision (mentioned below).

Second by: Supervisor Naomi Decker

Discussion: Supervisor Buckwash noted that item eight listing Approval and Payment of Bill should read Approval and Payment of Bills.

The motion carried.

5. Public Comment (*written request pertaining to Agenda items only*)

Chairman Wenrich requested that NYCRP Chief David Lash be permitted to speak first and to answer any questions. Chief Lash discussed the traffic attenuator at Century Lane and Route 15 and increased accidents. He stated they are going to change the angle of the attenuator as it's been hit a few times.

Chief Lash briefly discussed the Valuation Plan of 2021 and said NYCRP currently went from a 74% funded pension plan to an 88% funded pension plan and stated the amortization schedule reflects an ending time of 2027 which is down from 2029 so it's headed in the right direction. Unfunded liability dropped from around 7.5% to 4.1%. Discussion ensued.

Supervisor Brian Galbraith questioned, and discussion was held on who would pay for the damages of some township park property caused by vandalism. He asked if the juveniles would be held responsible for the cost of those damages and if this would impact them getting a driver's license at age 16. Chief Lash said it could be part of a consent decree, payment plan, etc. and there would be no impact on getting their licenses at the legal age. Chairman Wenrich forwarded information to the Chief that Roadmaster Andy Gibb provided him as far as damages and estimated replacement costs.

Discussion ensued on the continuing problems with the portable units in Ponderosa Park being overturned and whether cameras should be considered.

Chief Lash said he recommends cameras, and they are patrolling the areas. Supervisor David Christensen asked a question concerning speed enforcement on Route 15. Chief Lash stated these are civil citations and said it was like red light enforcement. NYCRP is going to be partnering with Spring Grove School District on automated school bus passing.

Resident Rick Hoffman reported to Chief Lash that the work zone light on Route 15 is not always lit. Rick also requested additional patrol time from NYCRP for Route 15. Discussion ensued.

Chief Lash reported that Franklin Township joined NYCRP in 1991 and since that time has never increased their patrol time/units in those 30 years. He said he has additional time available to purchase if interested. He stated he would like to see a 95% service level. He compared the 95% service level to 2019 (since 2020 was affected by COVID) and said based on the 2019 calls, the township was 82.46% staffed. The recommendation at that time was to add five additional hours for an 88% service level at an approximate cost of \$22,320 or ten additional hours for a 93.4% service level at an approximate cost of \$44,641. Any current cost increases would have to reflect unit increases for 2021 and a projected 2% increase for 2022. Questions were asked on pension costs and Chief Lash said 11% of the police payroll goes towards the pension. Discussion ensued on how additional hour purchases would affect pension.

Supervisor Christensen asked Chief Lash about any progress on working on a new charter. Chief Lash responded that is planned for 2022. He did reinforce acting on the Resolution approving Heidelberg Township to be added as a new charter member.

Lorin Stough spoke concerning questions he had on the Driveway Permit Ordinance. He discussed property that he subdivided 20 years ago and stated he had gotten Driveway Permits for two of the properties. He stated he put tiles in, etc. but never blacktopped or met the road. Lorin said a former Roadmaster had instructed him to put a swale in and stones which he did but weeds have grown up in the stones over the years. Lorin also questioned the six-month expiration period on the Driveway Permits and asked if he needed to get new Driveway Permits for those properties. The BOS and Engineer Phillip Brath confirmed that Driveway Permits do expire in six months and Driveway Permits are non-transferrable. Lorin asked the BOS to review the ordinance to look at changing the expiration period if work is started but not completed within the six months from when the Driveway Permit is obtained.

3-5 Meadowview-Lorin and Sandra Stough sold two properties to Russell and Kathryn Mason. This was on the agenda under the Solicitor section but was discussed while Mr. Stough was present. Solicitor Bret Shaffer stated it appears the Small Flow Treatment Facility (SFTF) Agreement for the 3-5 Meadowview property was never completed/recorded. Lorin stated that Kathryn Mason took it to the DEP. He also said there is now an annual fee for a SFTF. Solicitor Shaffer stated that the original SFTF Agreement for the one property was recorded but the second one was not. The second ones need to be completed and recorded and he has spoken with Kathryn Mason. Solicitor Shaffer also stated that the assignment was done for each property and Lorin was the original one to sign. The SFTF agreement assigned to Lorin needs assigned from Lorin to Kathryn and her husband. Bret said we need to check if we have two bonds and Lorin replied that we do.

6. Organization Reports

6.1 Police –

- A. A written report was submitted for June/July 2021.
- B. A written Activity Report from Chief Lash was submitted for June/July 2021.

Agenda items Act 205 Funding Valuation Package and the Addition of Patrol Time/2022 Budget Planning were discussed during Chief Lash's earlier report/discussion with the BOS. Chairman Wenrich would like to take a closer look at the budget consideration for additional hours and he will email Chief Lash for an actual evaluation between 2019 and 2021.

The BOS discussed reviewing the Feasibility Study for the NYCRP Headquarters Facility.

A new building and the property may be donated from a company in the area it is proposed to be built in. Response time for our township was discussed.

6.2 Fire –

A. A written report was submitted for July 2021.

Karla Snyder reported 46 total calls for the month of July, totaling 298 calls for the year. There were nine calls this month in Franklin Township, totaling 79 calls for the year.

It was reported that the two firefighters mentioned at the July BOS meeting that were going to get their Fire Fighter 1 Certification did attain this certification and now allows them to operate as higher skilled firefighters. The Fire Company participated in National Night Out and are preparing to participate in Farmers Fair.

The issue of Franklinton Borough moving to Wellsville Fire Company was discussed as well as a letter received from the borough dated 8/5/21. Discussion ensued on back-up responses vs. dual dispatches which affects payment. Solicitor Bret Shaffer requested that Carla and Hector send him an email with their concerns to include in his response letter back to Franklinton Borough. Conversation ensued.

The BOS approved the letter written to the Fire Co. on behalf of Franklin Township.

The BOS reviewed the budget information sent in from the NYCFR. It was noted that it contains no actual income and expense information. Supervisor Naomi Decker would like to know how much money was paid to Attorney Reid and Rob Brady. Treasurer Williams will request this information from Chief Hector Morales.

6.3 EMS –

A. A written report was submitted for July 2021.

6.4 DAA –

A. A written report was submitted for June 11, 2021, minutes submitted.

The request for ARPA funds was reviewed. The question was asked how many residents in our township are on public water. It was noted to look at areas in our township where we may want a project.

6.5 Emergency Management – No written report.

An email from Laurin Fleming, EOC, was reviewed and discussed. Clarification is needed on proposed meeting with the BOS and the date and time. Treasurer Williams will clarify and notify the BOS. Bret clarified the meeting will be held September 11 at 9:00 a.m.

Laurin addressed the garage door seals in the EOC building and water coming in.

A motion was made by Chairman Mark Wenrich to allow Roadmaster Andy Gibb up to but not exceeding \$500 to repair the seals in the EOC/Recycle building.

A second by Supervisor David Christensen

Discussion: There was no discussion

The motion carried.

6.6 Route 15 Transportation – No Written Report.

A. Century Ln., Franklin Church Rd. Closed at Rt. 15 in Franklin Township; discussion ensued. The date of expected completion is October 2021.

6.7 Engineer's Report –

A. July 2021 Report was submitted.

Range End Rd. was mentioned by Engineer Phil Brath.

B. GP-11 Water St.-Engineer Phil Brath said there are things to add or update in the drawings and comments need to be added to the drawings. He now must wait for the permit. Depending on whether a one-lane or two-lane bridge is decided on will dictate if the permit needs modified. This is currently in litigation.

C. Cumberland & York Counties Close Bishop Bridge- A bridge that was closed in Upper Allen and Monaghan Townships. They chose to close the bridge instead of repairing and it only goes to a few homes.

D. Lexington-YCPC Comments-Lexington Fields updated their plan. Supervisor Buckwash commented that it was not access via Franklinton Rd. as listed in the opening statements. Access is through Baltimore Rd. to Franklinton Rd. The question was asked if Lexington bought the Byers property and if it significantly changes the plan. Engineer Brath stated the new way matches the plan the township rejected. Discussion was held on if Bypass Road would be closed or vacated. Engineer Brath said there is a meeting being held with PA Dot on August 24, 2021. He talked about cul-de-sacs and access routes in the proposed development and is not making a formal recommendation at this point. Supervisor Decker stated they are dictating what we do with our roads.

7. Approval & Payment of Bills

Discussion ensued on the \$15,000 donation to NYCFR towards their new roof. The BOS said they'd like the funds to come from the ARPA funds. Solicitor Shaffer said at this point with the information he has, he cannot see how we could use this money towards the new roof for NYCFR. He also stated Treasurer Pam Williams and himself should place a call to PSATS to discuss if these funds can be used for this and guidance for how to spend the ARPA funds.

Discussion ensued regarding not receiving a bill from Penn State Health. Treasurer Pam Williams explained the invoices attached to the packet does match amount what is owed.

A Motion was made by Chairman Mark Wenrich to approve and pay the bills..

Second by Supervisor David Buckwash

Discussion: There was no discussion

The motion carried.

8. Treasurer's Correspondence

8.1 Treasurer's Report

Treasurer Pam Williams reported we received the first half of the ARPA funds on July 14, 2021, and asked the BOS if they would like the ARPA funds received by the township placed in a regular checking account, a Money Management account, or a short-term CD. The BOS decided it should be placed in a Money Management account.

A motion was made by Supervisor Mark Wenrich for Treasurer Pam Williams to place the ARPA funds into a Money Management account.

Second by Supervisor David Christensen

Discussion: There was no discussion.

The motion carried.

8.2 Treasurer's Memorandum

Pam notified the BOS that budget meeting dates should be set. She suggested some dates and the BOS decided to hold the first budget meeting on 9/15/21 at 6:00 PM The second budget meeting will be held on 10/7/2021 at 6:00 PM

Chairman Wenrich also stated he would like to schedule a meeting in October to review the Fee Schedule and have Jeff Gardner, Zoning Officer present.

Pam stated the Road Reports are in the Treasurer's packets and some of the bank balances you will see are the same as last month due to Pam not having time to complete the reconciliations

A motion was made by Chairman Mark Wenrich to approve the Treasurer's Report.

Second by Supervisor David Buckwash.

Discussion: There was no discussion.

The motion carried.

9. BCO / Zoning Officer Report-

9.1 July 2021 Report & Invoicing-June/July 2021 report and invoicing was provided.

9.2 DEP Complaint – 1512 Baltimore Rd. Discussion ensued regarding construction debris being dumped. Supervisor Buckwash stated it appears that the debris is on the way to being cleaned up.

10. Subdivision and Land Development-No items for review.

11. Solicitor –

Solicitor Bret Shaffer discussed a Zoning issue concerning the use of RV's as Accessory Structures. Discussion ensued about what constitutes a Principal Use. Solicitor Shaffer said he would follow up with BCO Jeff Gardner on his policy question about the RV situations. Solicitor Shaffer said anything posing as a house/residence that has wheels becomes a problem with permits, property taxes and the law.

11.1 PERCS Agreement-Bret will send over the agreement to be signed.

11.2 Revised EMS Agreement-Bret will get the updated EMS agreement. Solicitor Shaffer has been in contact with a Penn State representative and with the opening of their new facility, they have just gotten delayed in providing the agreement.

11.3 Clint & Joan Williams-Will be addressed in Executive Session.

11.4 3-5 Meadowview-Lorin & Sandra Stough to Russell and Kathryn Mason-This has been discussed with the Mason's and the new agreements need signed. This was discussed previously under the first Public Comment section.

11.5 Miller RTK-nothing new to report

11.6 Executive Session-no Executive Session held at this time. Solicitor Shaffer said he would like to hold that at the end of the meeting.

-Solicitor Shaffer reported changes to the Sunshine Law on Meeting Agendas that goes into effect the end of August. All Supervisors were provided a copy. Solicitor will be providing a memo by email. Treasurer Williams also provided information from PSATS on this information.

-ARPA-Solicitor Shaffer said he doesn't think that ARPA funds can be used for the \$15,000 fire company donation toward their new roof. Discussion ensued. Solicitor Shaffer stated his understanding of capital improvements for EMS or fire means improvements on making more space to keep people separated for social distancing. He also discussed having a grant program if something is directly tied to COVID but didn't think we would need that since we only have one fire company. The first reporting period ends September 30. Chairman Wenrich asked if these funds could be used towards our security system. Solicitor Shaffer said broadband may be an item that this money could be spent on. The county is also looking at spending considerable funds on this.

-Ceriani Conditional Use Hearing decision needs one amendment completed by Solicitor Shaffer before the BOS signs it.

12. Municipality Reports

12.1 Parks & Recreation –

A. June 2021 Minutes-there were no minutes, and no comments were made.

Parks & Recreation Chairperson, Terry Hoffman presented a quote for a new park swing and requested to purchase it.

A motion was made by Chairman Mark Wenrich to approve purchasing a new swing from AAA State of Play for \$1,733.10

Second by Supervisor David Christensen

Discussion: There was no discussion.

The motion carried.

Discussion was held on the Resolution for Parks and Recreation concerning their unbudgeted spending limit and if it should be increased from \$500 to \$1,000. Discussion ensued regarding changing the unbudgeted spending limit on the Resolution and spending money on unbudgeted items vs. budgeted.

P& R Chairperson Terry Hoffman would like to present some items for considerations at the Budget Meeting.

Terry asked the BOS if Roadmaster Andy Gibb could check on the mowing/maintenance of the recreation area at Sherwood Forest. She said there is currently a resident who mows it/pays to have it mowed and she feels since the township owns it, we should maintain it. Chairman Wenrich asked Treasurer Williams to check on this with Andy.

12.2 Roadmaster –

A. Roadmaster Reports in Treasurer's Packet-Dave Buckwash indicated that the report said they put new door sweeps and fixed automatic door opener on township building. He asked if that was township municipal building or the EOC building, and Chairman Mark Wenrich indicated that they would check with Roadmaster Andy Gibb.

B. The BOS reviewed the information submitted by Roadmaster Andy Gibb on line painting and additional tar and chip areas. For single coat tar and chip, the additional amount would be \$2,507 and line painting would be \$178 for a total of \$2,685. Discussion was held on if this is 10% or under on the original amount allotted. Engineer Brath said he thought it was.

A motion was made by Supervisor David Christensen to approve up to \$3,500 to tar/chip and line paint Glenwood Road with a single layer from Route 15 to Range End Rd.

Second by Supervisor David Buckwash

Discussion: There was no discussion.

The motion carried.

Solicitor Shaffer asked if the line painting was part of a previous approval? Bret would like to review the contract and see if a change order is needed.

12.3 Planning Commission –

A. No report—July meeting was cancelled.

13. New Business

13.1 Hiring of new Township Secretary

A motion was made by Supervisor David Buckwash to hire Traci R. Kauffman as the new Township Secretary subject to all conditions of the Franklin Township Employee Handbook and subject to her acceptance with a starting salary of \$18.00 per hour with a \$1.00 increase after her 90-day probationary period and increasing to \$19.57 within four months at the Reorganization Meeting.

Second by Supervisor Brian Galbraith

Discussion: Supervisor Christensen objected due to the job listing on Indeed showing the salary as \$20 to \$23 per hour. He stated he thought it was unfair. Supervisor Decker stated that the salary was also based on experience. Solicitor Shaffer said that an Indeed employment advertisement is not binding. Supervisor Christensen stated he was still opposed.

The motion carried with Supervisor Christensen opposing.

The motion was then amended to include a start date of Monday, August 16, 2021.

Traci Kauffman accepted the position of Township Secretary.

The motion passed.

13.2 HVAC Duct Cleaning/Mold

Supervisor Decker stated that one of the companies who gave an estimate said there was no mold in the vents when he looked in them. Treasurer Williams asked how they know without testing it. Chairman Wenrich said that someone who does mold remediation knows that when they look at it. Discussion ensued on the three quotes and what was included in each one.

Chairman Wenrich called the Roadmaster to ask what his recommendation was. Roadmaster Andy Gibb said he recommended Zach Diehl. Supervisor Decker said she thought the encapsulation was a good idea.

A motion was made by Supervisor David Buckwash to accept the estimate from Zach Diehl of HVAC Duct Cleaning with Encapsulation at the cost of \$2,744.

Second by Supervisor David Christensen

Discussion: There was no discussion.

The motion carried.

13.3 Carpet Replacement Info. – Discussion was held on carpet replacement for the conference room and offices. Chairman Wenrich suggested cleaning it however Supervisor Decker stated that may cause it to retain moisture/mold. Supervisor Christensen asked how old the carpet was and Treasurer Williams stated when they were going through the files for a Right-to-Know, a receipt was found from 1978. She also asked about replacing it with tile. Chairman Wenrich discussed a concern for slipping and the safety of replacing it with flooring. Discussion ensued on whether to replace it with flooring or carpet. It was noted that it did have runs in it and there were strings coming out that the Roadmaster cut off. The BOS directed Treasurer Williams to obtain three quotes for commercial grade carpeting to replace the carpet installed in the offices, conference room and wherever there currently is carpet.

13.4 Records Retention Policy – Treasurer Williams stated her understanding was that Resolutions were needed to dispose of municipal records according to the Municipal Records Act. In reference to the manual PSATS has in place, Solicitor Shaffer asked Treasurer Williams to scan the Municipal Records Act to Solicitor Shaffer as well as the sample Resolution to Dispose of Records.

13.5 Resignation of Andrew Baumgardner from the Planning Commission

A motion was made by Chairman Mark Wenrich to accept the resignation of Andrew Baumgardner from the Planning Commission.

Second by Supervisor Naomi Decker

Discussion: There was no discussion.

The motion carried.

Supervisor Decker asked Treasurer Williams if a letter of appreciation could be written and sent to Andrew Baumgardner on behalf of the BOS.

A motion was made by Chairman Mark Wenrich to advertise for the vacant Planning Commission position.

Second by Supervisor David Christensen

Discussion: There was no discussion.

The motion carried.

14. Old Business

-Chairman Wenrich asked that the Heidelberg Resolution discussed with Chief Lash be placed on the September agenda.

-An additional item not on the agenda was brought to the Board's attention by Supervisor David Buckwash. He read a letter and discussion was held on if it was a "scam". He asked that it be placed on the website under Public Notices. Others at the meeting said they had also received the same letter.

14.1 Mold Testing/Remediation & Air Duct Cleaning – Already addressed in 13.2

14.2 Terminix Service Contract-Chairman Mark Wenrich said he will ask a local businessman to stop in and give the township an estimate for pest/insect removal.

15. Correspondence

15.1 York County Press Release-Board of Commissioners-West Nile Virus Mosquito sample

15.2 York County Press Release-Board of Commissioners-West Nile Virus Mosquito samples collected in Manchester Twp. and York City

15.3 York County Press Release-Board of Commissioners-West Nile Virus Mosquito samples collected in York City, Hanover Borough, Penn, Manchester, and Fairview Townships
Chairman Mark Wenrich suggested get rid of standing water and anything that collects water, dump it.

15.4 York County Open Space and Land Preservation Grant Program

15.6 Training-Emergency Management Fall Exercise Forum -This is from PSATS and Laurin Fleming was notified.

15.7 PSATS- Act 65 of 2021-Posting Meeting Agendas - PSATS Sunshine Act Information
Solicitor Shaffer said this should be reviewed by all board members and township office staff.
Supervisor David Buckwash did review some of the information.

15.8 New Hope Open House – Will be held Thursday, August 19

15.9 Watershed Alliance of York/Recap – Information only

15.10 Emergency Rental Assistance Program/York County Residents – Eligible to York County residents and the BOS indicated that Treasurer Pam Williams should post on township website.

16. Public Comment (Resident Concerns)-No Public Comment

17. Executive Session

An Executive Session was requested by Solicitor Bret Shaffer regarding Clint and Joann Williams subdivision and the Bennington Appeal Land Use Cases (Brookshire Mobile Home Park) and was held from 9:48 PM to 10:16 PM. There were no decisions made during this session.

18. A motion was made by Supervisor David Buckwash to adjourn the meeting at 10:20 PM

Second by Supervisor David Christensen

Discussion: There was no discussion.

The motion carried

Respectfully submitted,

Pamela Williams

Pamela Williams
Treasurer/Assistant Secretary
Franklin Township