

FRANKLIN TOWNSHIP, YORK COUNTY, PA

BOARD OF SUPERVISORS

REGULAR MEETING MINUTES

DECEMBER 11, 2019

ROLL CALL

PRESENT

Chairman Eric Stonesifer

Solicitor Bret Shaffer

Vice Chairman Kevin Cummings

Engineer Phillip Brath

Supervisor Naomi Decker

Treasurer/Asst. Sec. Pamela Williams

Supervisor Michael Ryan

Secretary Teresa Adams

Supervisor Mark Wenrich

CALL TO ORDER

The December 11, 2019 BOS Regular Meeting was called to order at 7:00 pm by Chairman Eric Stonesifer. The meeting was held at 150 Century Lane, Dillsburg, PA. Please see the attached sign-in sheet for visitors in attendance.

PLEDGE OF ALLEGIANCE AND PRAYER

The Pledge of Allegiance and prayer was led by Supervisor Mark Wenrich.

APPROVAL OF MINUTES

October 9, 2019 BOS Regular Meeting minutes—

A Motion was made by Vice Chairman Kevin Cummings to approve the October 9, 2019 minutes.

Second by Supervisor Wenrich

Discussion: Supervisor Decker said the minutes were the revised October 9, 2019 minutes. Vice Chairman Cummings revised his motion to approve the revised Oct. 9, 2019 BOS minutes as of December 11, 2019.

Second by Supervisor Wenrich

Motion Carried. Chairman Stonesifer abstained as he was absent from this meeting.

October 24, 2019 Conditional Use Hearing CUH2019-5, Weaver Minutes

Motion was made by Chairman Stonesifer to approve the Oct. 24, 2019 Conditional Use Hearing CUH2019-5 meeting minutes.

Second by Supervisor Wenrich

Discussion None

Motion Carried. Supervisors Cummings and Decker abstained. They were not present at this meeting.

November 6, 2019 Budget Meeting Minutes

Motion as made by Supervisor Ryan to approve the Nov. 6, 2019 Budget Meeting Minutes

Second by Chairman Stonesifer

Discussion None

Motion Carried. Supervisor Wenrich abstained. He was not present at this meeting.

November 13, 2019 BOS Regular Meeting

Motion was made by Supervisor Cummings to approve the revised Nov. 13, 2019 BOS regular meeting minutes.

Second by Supervisor Wenrich

Discussion none.

Motion Carried with Supervisor Stonesifer abstaining. He was not present at this meeting.

PUBLIC COMMENT

Special recognition and a plaque were given to Ron May, road crew member for 23 years of service by Chairman Stonesifer on behalf of the Franklin Township Board of Supervisors. Vice Chairman Cummings gave special appreciation for service above and beyond in all kinds of adverse weather. He also expressed his gratitude for the work that was done by Ron, Roadmaster Mike Ryan, and Bob King on the Greenhouse Road bridge project.

Tom Stang from Waste Management was present to ask the BOS to approve a change in the trash pick-up day on the East side of US 15 from Thursday to Monday. The contract does not allow for Sunday or Monday pickup. After discussion, it was agreed the change was not acceptable. Mr. Stang will be back to discuss the trash contract which expires June 2020.

ORGANIZATION REPORTS

POLICE

Vice Chairman Cummings Liaison to NYRPD presented a resolution that allows North Codorus Twp. to become a full member of the NYRPD. Solicitor Shaffer reviewed the language of the resolution. North Codorus' membership would cause a \$3000 cost reduction for the year.

Motion was made by Vice Chairman Cummings to adopt the resolution to allow North Codorus Twp. to become a full member of the Northern York County Regional Police Commission.

Second by Supervisor Decker

Discussion This is resolution 2019-09

Motion carried

Supervisor Cummings discussed a letter from the police chief who reached out to the president of the commission concerning the purchase of a building from Heidelberg Township. Supervisor Cummings concern was the distance from Franklin Township and the benefit of purchasing the building. He was seeking input from the board. Supervisor Decker said as long as it is not the only building it may not affect us. Supervisor Ryan said he would vote yes because we can't get out of NYRPD and Northern was the lowest priced police service in the region. Supervisor Decker said it is less cost to buy the building than to build another building in another place and it is okay as long as it doesn't affect our response time. She would vote yes. Supervisor Cummings would like to vote "no" along with Supervisors Wenrich and Stonesifer. Supervisor Cummings asked if anyone has seen the speed device on Twin Hills Road as it was supposed to be set up before this.

FIRE

A report was submitted. Chief Scott McClintock was present and reported the following:

- 39 calls for the month of November, Year to Date, 484
- Franklin Township 12, Year to Date, 112
- Fire prevention was done for the daycares
- Fire extinguishing was done for local construction companies
- ISO rate was discussed, the lower the number the lower the rate. Supervisor Ryan said the township should know its ISO. Franklin Township's truck should be back by Feb. 1 from painting and lettering. No new equipment would be purchased until 2021. A fire tax was discussed. Carroll Twp. paid \$7,500 toward the repair of the tower truck. Supervisor Ryan asked how much we were giving toward the repair of the tower truck. Supervisor Cummings said we have 31% of the calls.

Motion Vice Chairman Cummings made a motion to pay \$5,600 toward the repair of the tower truck.

Second by Supervisor Ryan

Discussion None

Motion carried

EMS

A report was submitted.

DAA

A report was submitted. Land and Sea will complete the forms for the pump station in Sherwood Forest.

Emergency Management

Laurin Fleming was present. He said he would like to conduct a Stop the Bleed class in the winter months of 2020. Supervisor Cummings said he would like to have a Stop the Bleed kit in every truck. He wanted the road crew to attend the class.

Route 15 Transportation

Vice Chairman Cummings and Supervisor Ryan attended a meeting at Carroll Twp. with Carroll Twp. supervisors Schwillie and Trostle and two landowners concerning the rerouting of Route 74. Supervisor Cummings and Supervisor Ryan stated their concerns and thoughts regarding Route 74 and Glenwood Road. This is for rerouting Route 74. There needs to be a dialogue with Carroll Township including our concerns about truck traffic and eminent domain. There was discussion about Penn DOT wanting to shut down intersections along US Route 15.

Engineer Report

Engineer Brath submitted a report. Heavenwood may have a violation with horse shelters. This is a storm water issue. He will send them a note to adhere to their first plan or change it.

Franklin Glen Solicitor Shaffer said we haven't heard anything from Franklin Glen. He will send a letter stating that we need some documentation from their engineer within 10 days demonstrating that what they are doing is adequate. Absent from a letter from their engineer we would need a status conference with the court. He needs authorization to set a 10-day deadline and get a status conference with the court.

Motion was made by Chairman Stonesifer authorizing Solicitor Shaffer to set a 10 day deadline.

Second by Supervisor Ryan

Discussion None

Motion carried

Supervisor Ryan said we need crack sealant along Glenview Drive because of water infiltration.

APPROVAL AND PAYMENT OF BILLS

Motion was made by Chairman Stonesifer to pay the bills.

Second by Supervisor Ryan

Discussion None

Motion carried

TREASURER'S CORRESPONDENCE

Treasurer's Report

Motion was made by Vice Chairman Cummings to accept the Treasurers' Report

Second by Chairman Stonesifer

Discussion None

Motion carried

Treasurer's Memorandum

Treasurer Williams said the first item is about authorized signers for the tax collector's account. The account is not strictly Franklin Township money. Rhonda said the money is comingled with Franklinton Borough and Northern York School District. Treasurer Williams said that she didn't think we would want to be cosigners on that account. She said one of Rhonda's peers could possibly be on that account. Supervisor Ryan said immediate action needs to be taken to see what kind of account the township needs to set up and the authorized signers on the account, possibly the tax collector and the working supervisors. The account should be singular. Solicitor Shaffer said he would put a proposal together to vote on at the Reorganization meeting. He would contact Rhonda to discuss the matter. Chairman Stonesifer suggested having a pension workshop after the Reorganization meeting with the BOS and PSATS. Treasurer Williams said the handbook states that 1 to 5 years of employment accrued 10 vacation days. New full-time employees will be granted 1 day of vacation for each full month of employment. Treasurer Williams recommended changing the time from 1 to 5 years to 0-5 years. We must get the handbook updated and then do a resolution.

NYCFR Workmen's Comp. to be paid monthly, \$1248.62

BCO REPORT

Zoning Officer's Report

Solicitor Shaffer said there had been calls about the kennel. Wilbur was looking for guidance whether he should proceed with enforcement.

We have confirmation that 610 Franklin Church is going to apply for another Conditional Use Hearing (CUH). The question is whether to enforce the violation since they are going to reapply for a CUH. The board's position was to enforce. They came in for the CUH, it was denied. If they don't comply, then we enforce.

Mike revisited the fire company's workers' comp and wondered why we were paying a higher percentage than Carroll Twp.

SUBDIVISION AND LAND DEVELOPMENT

Lexington Fields Mr. Garland was present. Supervisor Ryan asked what the Conceptual Plan was in his packet. He asked if that was a new plan or are we still working on the old plan. If it's a conceptual plan, it would be considered a new plan. We are not going to talk about it and the board may want it to go back to the Planning Commission. If it's a conceptual plan, it's not a part of the plan we're dealing with. Mr. Garland stated that he was addressing the court decision about vacating By Pass Road. Engineer Brath said the discussion in the last meeting about By Pass Road was not that it couldn't be used but that it was inadequate and needed improved. That was related to having an access to 194.

Engineer Brath recapped the way things were left the last time Mr. Garland was before the board.

(1) Mr. Garland was going to submit an estimate of the fee in lieu of for offsite improvements of Bypass Road.

(2) You were going to revise the storm water management plan for the entire land development and subdivision plan using the storm water ordinance.

(3) You were going to do an update of the traffic study to determine turning lanes and acceleration lanes requirements surrounding the property.

(4) You were going to look for a traffic study by Penn DOT concerning the 2 bridges on 194 and By Pass Road.

(5) You were going to look for a traffic and bridge study regarding By Pass Road and the bridge replacement and provide that.

(6) You were going to update the plan to show 33' wide streets.

(7) You were going to appear before the BOS in December.

Mr. Garland said he was also going to be getting proposals for the storm water and traffic which he said he did. He got a proposal for doing the traffic study from TRG.

He contacted Penn DOT. They're looking at doing the bridge in 2021 on 194. They are not going to use By Pass Road as the bypass when they do the bridge.

The way storm water is done now is that there needs to be 40 percs and probes done on this site to test for the percolation of the storm water. The procedure for the NPDES permit is being updated and they are just now being trained. Street widths will be changed with other changes like stormwater and a traffic study.

Motion was made by Chairman Stonesifer to accept a time extension for Lexington Fields for 6 months to 6-15-2020.

Second by Supervisor Ryan

Discussion None

Motion Carried

Supervisor Decker said her concerns with the plan was that there were many significant changes and did not resemble the plan that went before the court.

MUNICIPALITY REPORTS

Solicitor

Solicitor Shaffer said that we asked him to look in the 4th amendment issues with the Operation and Maintenance Stormwater Agreement. The legislature says that it is not an issue unless there would be a court decision that changes that. Solicitor Shaffer says that he prefers the O and M agreement because they are more specific, and the owner knows exactly what to expect. There was discussion on the recording of stormwater plans.

Solicitor Shaffer had comments on the fee schedule which he wanted to discuss with Wilbur regarding how you make reference to the International Codes Council square footage costs when you are calculating a fee. Some of the language needs to be changed in the fee schedule.

Roadmaster A report was submitted.

Park and Recreation Minutes were submitted.

Planning Commission

Sec. Adams said the Planning Commission minutes would be submitted for the January meeting.

NEW BUSINESS

Back Up BCO

Solicitor Shaffer said that he did not think the legislation for a backup BCO was passed by the legislature.

2020 Franklin Twp. Budget Adoption

Motion was made by Chairman Stonesifer to adopt the 2020 General, Park and Rec, and State Highway Budgets as advertised.

Second by Vice Chairman Cummings

Discussion None

Motion carried

Approve Advertisement of 2020 Re-Org meetings

Solicitor Shaffer said to advertise the 2020 Re-Org meeting and to include any other business. If they get the tax collector information, it can then be voted on at the Re-Org meeting.

Proposed placement of electric poles in township right-of-way

Correspondence was received from Adams Electric on placement of poles at 16' from center of road. They will apply for a permit. Engineer Brath said that the width of the roads is 22-26'. It will be handled as a Road Occupancy Permit and will be taken care of by Engineer Brath and Andy. Supervisor Ryan said that he thought it should be pushed back the distance of a development right-of-way.

DCED

Sec. Adams asked to set up an informational meeting with DCED to see what grants might be available. She will set up a meeting and let the board know the date and time.

Waste Management Contract Discussion

The waste contract is to be sent out for bid and remove the pick-up date. The three haulers serving our area are Waste Management, Penn Waste, and Republic.

Planning Commission

Motion was made by Vice Chairman Cummings to appoint David Buckwash to the Planning Commission. After discussion, the motion was withdrawn. Mr. Buckwash would have to first resign from the Zoning Hearing Board before he could be appointed to the Planning Commission.

Appointment for Road Crew Interviews

Five appointments will be set up 12/18/19 starting at 6 pm and continue in 20-minute increments.

CORRESPONDENCE

DAA letter for Mr. Louis Albert's Retirement

Mr. Albert represented Franklin Twp. for 31 years on the DAA. A new appointment will need to be made. Mr. Albert will serve until the new appointment is made.

PUBLIC COMMENT

John Wood, 20 East Greenhouse Road, came in to check what the status was on a Right to Know request. He filed the request on June 11, 2019 and has not received a response. His concern is about a 12" culvert pipe that was placed and has rusted out. The rusted pipe is causing water issues on his property. Supervisor Ryan said that the pipe is a Carroll Twp. pipe. The pipe was placed as a courtesy by Franklin Twp. on a boundary line. Solicitor Stacy McNeal sent a letter stating that Franklin Twp. would be held harmless because it was a courtesy and it would be up to the residents to take the pipe the rest of the way down. We need to stand on the decisions that we made then.

Cory Stolz came in to discuss needed repairs on Range End Road. He was told that Range End Road was on the schedule.

EXECUTIVE SESSION

A brief executive session was held for a personnel issue. No decisions are to be made. Went into executive session.

Came out of brief executive session.

ADJOURNMENT

Motion to Adjourn by Eric Stonesifer

Second by Kevin Cummings

Discussion None

Motion carried

Pamela Williams, Asst. Secretary

Franklin Township, York County