

FINAL

**FRANKLIN TOWNSHIP YORK COUNTY PA  
BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
December 9, 2020**

**ROLL CALL**

**PRESENT:** Chairman Mark Wenrich  
Vice Chairman David Buckwash  
Supervisor Naomi Decker  
Supervisor Brian Galbraith  
Solicitor Bret Shaffer (via Zoom\_  
Engineer Phillip Brath  
Treasurer/Asst. Sec. Pamela Williams

**ABSENT:** Supervisor David Christensen  
Secretary Kerri J. Smith

**CALL TO ORDER:**

The December 9, 2020, Franklin Township Board of Supervisors (BOS) Meeting was called to order at 7:03 p.m. by Chairman Mark Wenrich. The meeting was held via Zoom and at 150 Century Lane, Dillsburg, PA. Visitors in attendance are listed on the meeting sign-in sheet.

**PLEDGE OF ALLEGIANCE AND PRAYER**

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

**EXECUTIVE SESSION**

Chairman Mark Wenrich announced an Executive Session which was held from 7:04 to 7:12 pm to discuss the Water Street bridge project. The BOS announced they have not yet concluded and are still exploring all the data and available options. Mark stated that once a concrete decision is made, Solicitor Bret Shaffer will contact the Miller family.

**APPROVAL OF MINUTES**

**A motion was made by** Supervisor Decker to approve the November 11, 2020 BOS Meeting Minutes. Chairman Wenrich noted he would have to abstain from the vote as he was not at the meeting.

**Second** by Supervisor Galbraith

**Discussion:** There was no discussion.

**The motion carried.**

**A motion was made by** Supervisor Decker to approve the November 17, 2020 Budget Meeting Minutes.

**Second** by Vice-Chairman Buckwash

**Discussion:** There was no discussion.

**The motion carried.**

**A motion was made by** Vice-Chairman Buckwash to approve the November 18, 2020, Water Street Meeting Minutes.

**Second** by Naomi Decker

**Discussion:** There was no discussion.

**The motion carried.**

**A motion was made by** Vice-Chairman Buckwash to approve the December 2, 2020 Fee Schedule Workshop Meeting Minutes.

**Second** by Naomi Decker

**Discussion:** There was no discussion.

**The motion carried.**

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**A motion was made by** Vice-Chairman Buckwash to withdraw his original motion to approve the November 18, 2020, Water Street Meeting Minutes as presented and instead amend the minutes to reflect Treasurer/Asst. Sec. Pam Williams as being absent and not present.

**Second** by Naomi Decker

**Discussion:** There was no discussion.

**The motion carried.**

## **PUBLIC COMMENT**

There was no public comment.

## **ORGANIZATION REPORTS**

**Police** – A written report was submitted for October 2020

The BOS discussed the new report being provided from NYCRP. It was noted how much assistance is given to our residents vs. actual crime incidents.

Supervisor Decker brought up about foot patrol being conducted on Water St. and what this was for. Chairman Wenrich said he will clarify this with Chief Lash at the upcoming police meeting. He will also ask about the “take 30”. It was assumed it may be lunch breaks.

**Fire** – A written report was submitted for November 2020.

**EMS** – No written report was provided.

Treasurer/Asst. Sect. Pam Williams stated there was a change to the number of calls from 176 to 173.

**DAA-** A written report was submitted for October 2020. Discussion was held on attempting to find a replacement township representative to serve on the DAA board. It was agreed not to advertise further but try to find a replacement through word-of-mouth.

**Emergency Management-** No written report was submitted.

Laurin Fleming, EMA Coordinator was in attendance via Zoom. He stated the COVID numbers are still climbing, creating a grim picture for the commonwealth and our health care system is becoming overwhelmed. He reiterated the downstream effects this will have on the economy and with children at home. He recommended the BOS keep the Emergency Disaster Declaration active. Laurin thought that if this continues through the beginning of the year, they may have a need to assist emergency services and healthcare. Chairman Wenrich asked Laurin if he needed anything from the BOS and Laurin stated not currently other than keeping the Emergency Disaster Declaration active. Laurin will also keep the BOS in the loop if he and his team need to take any further actions. He also said the CERT team is keeping up-to-date and he has a great concern for our first responders.

**Route 15 Transportation** – No written report was submitted.

Engineer Phil Brath stated he asked for updated drawings/plans and that there is a new contact for the Project Manager.

**Engineer’s Report-** A written report was submitted for November 2020.

Engineer Brath noted that the Elicker plan for 715-717 Range End Road will most likely be presented in January.

L-Cubed has granted us an extension until March 31, 2021 that will need to be accepted.

## **APPROVAL AND PAYMENT OF BILLS**

**A motion was made by** Chairman Wenrich to pay the bills.

**Second by** Vice-Chair Buckwash

**Discussion:** There was no discussion.

**The motion carried.**

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### TREASURER'S CORRESPONDENCE

**Treasurers Report** – A written report was submitted.

**A motion was made by** Supervisor Decker to accept the report.

**Second by** Vice Chair Buckwash

**Discussion:** There was no discussion.

**The motion carried.**

**Treasurers Memo**-Treasurer/Asst. Sec. Pam Williams stated the 2021 MMO for the Municipal Pension Plan would have to be accepted and should be reflected in the minutes. Supervisor Galbraith asked where this originates from and discussion ensued on the MMO.

**A motion was made by** Chairman Wenrich to accept the MMO for the Municipal Pension Plan for 2021.

**Second by** Vice-Chair Buckwash

**Discussion:** There was no discussion.

**The motion carried.**

Treasurer/Asst. Sec. Pam Williams asked for permission from the BOS to attend the PSATS training webinar entitled Year-End Employee Functions on 12/17/20 at a cost of \$40.00 She stated it included information on W-2's, 1099's (which have changed for this year), filing year-end taxes and reports, etc.

**A motion was made by** Chairman Wenrich to approve Treasurer/Asst. Sec Pam Williams to attend the PSATS training webinar as described on 12/17/20.

**Second by** Supervisor Galbraith

**Discussion:** There was no discussion.

**The motion carried.**

Treasurer/Asst. Sec. Pam Williams stated she also had a meeting/training set up with a staff member from SEK certified in QB on 1099 preparation on 12/16/20. Discussion was held on the cost.

**A motion was made by** Chairman Wenrich to authorize Treasurer/Asst. Sec Pam Williams to participate in training with SEK for 1099's if it falls within the normal SEK fee schedule.

**Second by** Vice-Chair Buckwash

**Discussion:** There was no discussion.

**The motion carried.**

Treasurer/Asst. Sec. Pam Williams stated there was a copy of the 2016-2019 Pension Audit included in the Treasurer's packet. There were two findings that were a result of the previous Roadmaster's salary not being included in the projected MMO for 2019 (from his 2018 pay). The result was that we didn't get our entire amount of our 2019 MMO and we did not pay enough in. It has been resolved as we did receive the difference in the amount of the MMO and have sent a check in for what we owed.

Discussion continued on investing some of the township's excess reserve monies into CD's. Pam distributed information from Bankrate.com for the highest CD rates for five-, three- and one-year rates. She also provided rates from Members 1<sup>st</sup> and stated you usually get better rates from credit unions and looking at the rates quickly, said the returns from there seemed to be the best. Chairman Wenrich asked about the FDIC insurance and the \$250,000 or less required to be in one bank. Supervisor Galbraith responded and said that we can have more than \$250,000 in but the credit union must pledge assets or securities for those accounts and can back funds through other investment vehicles. Pam confirmed this with Members 1<sup>st</sup>. Brian said Members 1<sup>st</sup> has the best five year, only four year and their other rates are the best.

Brian explained the five-year ladder again. The Treasurer's Report shows we have approximately 1.4 million total funds available. Pam confirmed \$100,000 could be taken from the General Fund checking as previously mentioned, due to tax monies starting to come in again in March of 2021. She also said the Liquid Fuels funds will be received in March of 2021. Discussion was held on money that would be needed for repairing Water St. if the decision is made to do that, how long the project would take and what amount of funds would need to be available.

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Pam said anything below the Members 1<sup>st</sup> Subtotal line, F&M, one of the ACNB's (not the Capital Reserve) and BBT could be utilized for CD's. She stated the only actions she performs on these accounts is transferring monies back and forth to avoid inactive status and fees. It was decided not to move funds from any transaction accounts. \$646,724.17 will be divided by five and that amount will be placed in five, four-, three-, two- and one-year CD's. Maturity rates will stagger with this tiered strategy and, if the money is needed quickly, we can withdraw it with most likely a small fee. Brian said it should be reflected in the minutes how Members 1<sup>st</sup> collateralizes the fund.

**A motion was made by** Chairman Wenrich to authorize Treasurer/Asst. Sec Pam Williams to withdraw/transfer funds from ACNB, BB&T and F&M General Funds and deposit those monies (\$130,000 each) into five Members 1<sup>st</sup> CD's in accordance with the five-year ladder CD investment strategy.

**Second by** Supervisor Galbraith

**Discussion:** There was no discussion.

**The motion carried.**

Vice-Chair Buckwash confirmed with a friend on the Police Department by text that the "take 30" is when the police are in service and out of the car but may not be on an official call.

Treasurer/Asst. Sec Pam Williams stated she is trying to follow up with representatives from York County Solid Waste Authority (YCSWA) and Jessica Shilladay from the Department of Environmental Protection (DEP) on the Recycling Grant that Roadmaster Andy Gibb had asked to be researched. Pam said she reached out to the DEP representative because it appeared Andy had been in contact with her about the purchase of woodchipper. In her email response to him, she stated that the applicant must have a mandatory trash collection program with a residential and commercial component to their contract. Pam asked the BOS if the commercial part was a component of our collection program; it was her understanding that it wasn't. Chairman Wenrich stated that any resident in the township can contact any hauler for commercial trash collection but as a Franklin Township resident, they must use Republic for their residential trash collector.

Another part of the email stated that burning of materials collected for recycling was prohibited. The email response also included a statement that said the anticipated use of the chipper would be to trim on township roads and at parks for mulch to be used in the township. Also, funding for a chipper can only be approved only when the equipment is part of a comprehensive leaf waste collection program where it is collected curbside from residents and wood chips are put to residential use as determined by the department. Engineer Brath added that Carroll Twp. has these types of programs available to residents with a key card, etc. This is like a compost site. Pam will provide an update when she hears back from one of the contacts.

## **CANDIDATES FOR ZONING OFFICER**

Jared Gasiewski from Barry Isett & Associates, Inc. participated via Zoom. Vice-Chair Buckwash asked if they bill per incident or by the hour. Jared stated for Zoning they typically bill per hour. Zoning services such as residential inspections and stand-alone enforcement are billed at \$85.00 per hour. For UCC services, that is billed as a per project fee.

The BOS asked Jared what his availability is to meet face-to-face and informed him Land & Sea Services, our current Zoning officer will participate to explain what they currently do for the township, along with another candidate. Discussion was held if December 16, 2020 at 6:00 PM would work for everyone prior to the Fee Schedule workshop. Jared confirmed it would work for him and the BOS said they would let him know once the meeting time was confirmed with all parties.

## **BCO / ZONING OFFICER'S REPORT**

A written report was submitted for November 2020.

Treasurer/Asst. Sec. Pam Williams noted there was an addition made to Land & Sea's packet and billing. It was the bill for Zoning for 176 Clear Springs Rd. which added \$100 to Land & Sea's invoice.

## **SUBDIVISION AND LAND DEVELOPMENT**

Engineer Brath said the E & S and NPDES permitting is done for L-Cubed. L-Cubed has granted an extension of time to Franklin Township until March 31, 2021.

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**A motion was made by** Chairman Wenrich to accept L-Cubed's Land Development Plan Extension of Time until March 31, 2021.

**Second by** Supervisor Decker

**Discussion:** There was no discussion.

**The motion carried.**

## **SOLICITOR REPORT**

- A. County Line Rd.-Solicitor Bret Shaffer spoke with the Traveler's insurance representative and told them the township was looking into estimates but was concerned with settling now when the fuel index is unknown for the spring. They said the statutes of limitations is two years and that they are in no rush. Bret said they did not need any follow-up communication and it was okay to reach out later during paving season.
- B. Resolution-FC Workman's Compensation-Treasurer/Asst. Sec. Pam Williams did contact Dillsburg Borough and they said it was inclusive of all residents and the properties in the entire township. They told her if it made us more comfortable, we could cross out the part referencing a "portion" and insert "all". Bret said the resolution had referred to a "portion" of the township and to a map which we didn't initially receive. Bret recommended withdrawing the previous resolution and passing a new resolution for Franklin Township being included for fire services by passing it with the edit of "all" of the township, not just a "portion".

**A motion was made by** Chairman Mark Wenrich to withdraw the previous FC Workman's Compensation resolution and approve the new one with the amendments.

**Second by** Vice Chairman David Buckwash

**Discussion:** There was no discussion.

**The motion carried.**

- C. Zoning Amendment-It is currently with the YC Planning Commission; they have confirmed receipt. Bret sent it to his original contact there and called then found out she no longer works there. It will probably be on the YC agenda in February and may be March or April till we can act further on it.
- D. Williams Plan-Bret spoke with their attorney's office. This plan was approved with conditions that had to be acted on in a set period which has passed. It appears like the plan is deemed denied but the township is looking to work with them on a waiver so it can be brought back in front of the BOS since the reason it was never completed is believed to be due to health reasons.
- E. Verizon Franchise Agreement-Kerri emailed the resident back who asked the question, and the resident has not yet responded.
- F. Resolution to Employee Handbook- Bret noted he did reference the state employee's handbook for language and said the resolution is almost completed. Bret asked the BOS with changing the carryover of vacation days, do they also want the carryover changed for sick days too. Discussion was held on carryover for sick days. Treasurer/Asst. Sec. Williams said both old and new employees (hired prior to 2019 and hired after 2019) can carry over sick leave, just in different amounts. Pam stated the handbook change originated due to employee concern of the current handbook which states vacation and sick are earned as one day per month worked up to a cap of a certain number of days per year. As it reads now, if someone wanted to take a week-long vacation early in the year, they couldn't because they would not have earned one week until approximately May/June. Another aspect of this was if the handbook could be amended to say the total amount of days the employee would earn in a year be available to use at the beginning of the year with the policy stating if vacation or sick days are used and the employee leaves before they would have earned them, the employee would have to reimburse the township for those days. Bret asked if the BOS intent were that both the vacation and sick leave would be available at the beginning of the year. Chairman Wenrich said he agreed this was the intent. Another part of this was being able to carry some vacation days from one year to the next if they are not used. Discussion ensued on this subject including hiring anniversary dates, tracking of time for employees, how Pam handled vacation days for the new employees hired this year, etc. Pam read

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portions of the current Employee Handbook that were being discussed. It was agreed the first partial year of employment would be handled as Pam treated the new employees in 2020 (earning one day per month worked up to a cap). Once an employee starts their first full year of employment, vacation and sick days would then be available at the beginning of the calendar year.

- G. Stough/Mason-Small Flow Treatment Facility (SFTF)-Bret said these agreements run with the property and Phil said the permit stays in the name of the landowner until the property is sold. Pam said her understanding was the Mason's did buy 3-5 Meadowview and wanted to transfer the agreement to their name. Phil said there were initially three houses on the subdivision, one burnt down and the two properties (one being 3-5 Meadowview) in the subdivision both had SMTFs. Discussion ensued on if there was a problem with the parcel number. Bret said he had also drafted an updated agreement.
- H. NYCRP-No updates from Bret. Discussion ensued on if and when this should be revisited.

## **MUNICIPAL REPORTS**

**Parks & Recreation** – No written report or minutes were submitted.

**Roadmaster** – The report was included in the Treasurer's packet. There were no questions or comments from the BOS.

**Planning Commission** – The final November 2, 2020 Planning Commission minutes were provided as information only.

## **NEW BUSINESS**

Supervisor Decker mentioned there was vandalism at Ponderosa Park. Pam said she spoke with the person who reported it and Andy. A bench was destroyed, there were tire tracks in the grass and mulch and miscellaneous car parts were found scattered in the park. It was decided to have Andy get a price for the replacement bench, prices for anything else that needs repaired/replaced and to have him track any time that the road crew spends on restoration of the damaged items/area. Andy was called and the following was discussed:

- A. Garage Insulation-Pam stated there were updated bids from Lobar, Weathershield and an email from ECI which stated they would not be able to have a revised bid for this meeting. Pam asked Bret if this "no quote" counted as a third "quote" or do we need a quote listing a monetary amount.
- B. Leer Electric Panel Quote-Pam said Andy fixed the heat in her office which never worked but in the process discovered that a circuit breaker had been thrown and found out it was one of the old Federal Pacific type circuit breaker boxes. The quote from Leer is to demo the old breaker box and replace it with a 150-amp square D panel and breaker installed by the owner for \$980.00. The board questioned why we wouldn't want to replace it with 200-amp service. Chairman Wenrich called Andy and Andy confirmed the one needing replaced is mainly for the office and the garage has a separate one. Andy will check on getting a quote for 200-amp service.  
Mark also asked Andy about the insulation quote from ECI. Bret also said the "no quote" from ECI doesn't count as a third quote.

**A motion was made by** Chairman Mark Wenrich to allow Leer Electric to provide either a 150-amp square D box or a 200-amp square D box not to exceed \$1,200.00 with the preference to do 200-amp if the wiring is adequate. This should be completed ASAP.

**Second by** Vice Chairman David Buckwash

**Discussion:** There was no discussion.

**The motion carried.**

- A. West Shore ALS Transaction and Ground Ambulance Service Provider Agreement-Bret said they were to provide the new agreement before the end of the year. Pam read part of an agreement that was dated November 12, 2020 and she thought the question was would there be any service interruptions and the mail confirmed there would not be. Phil noted there was a question on the fee stated in the agreement and prompted Bret to review the agreement carefully. Vice-Chair Buckwash also read a portion of the agreement on the fees.
- B. Proclamation Request—National School Choice Week January 24-30, 2021 – No action.
- C. Board of Supervisors Reorganization Meeting-the meeting will be held January 4, 2020 at 7:00 PM

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- D. Codification of Ordinances-Kerri noted she had not researched this in depth and but thought Carroll Twp. utilized this company. Phil provided input and it was decided that the township had a lot of legwork to do prior to completing this type of task.

## **OLD BUSINESS**

- A. Water St.-The board stated they want Phil to consider all options for the Water St. project.

**A motion was made by** Vice-Chair David Buckwash have Phil consider all available options for the Water St. bridge project and report back to the BOS on those options.

**Second by** Supervisor Decker

**Discussion:** There was no discussion.

**The motion carried.**

- A. DAA Representative & Zoning Codes Officer-discussion was held on whether to advertise any further for the DAA representative. Supervisor Decker suggested asking John Perry who is on the Planning Commission if he is interested. The BOS will interview the two candidates for the Zoning and Codes Officer.
- B. Security System-no further information has been provided by Supervisor Christensen. This is to be placed on the agenda for the January BOS meeting.
- C. Extension of Declaration of Disaster-this was extended through January 13, 2020.

**A motion was made by** Chairman Mark Wenrich to extend the Emergency Disaster Declaration to January 13, 2020.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

## **Correspondence**

- A. Cabin Hollow Rd. Bridge Closure-Information only.
- B. USDA Rural Development Community Facilities Direct Loan & Grant Program-information only.
- C. 2021 Dog Licenses are available-Chairman Wenrich encouraged all residents to license their dogs.
- D. New Hope Ministries-new location information.
- E. YATB October 2020 Distribution of Earned Income Taxes Summary-information only.

## **PUBLIC COMMENT**

There was no public comment.

**EXECUTIVE SESSION-** An Executive Session was requested by Engineer Phil Brath and was held from 9:42 to 10:04 PM. No decisions were made.

## **ADJOURNMENT at 10:04 p.m.**

**A motion was made by** Vice Chairman Buckwash to adjourn the meeting at **10:04pm**.

**Second by** Chairman Wenrich

**Discussion:** There was no discussion.

**The motion carried.**

Respectfully submitted,

*Pamela Williams*

Treasurer/Asst. Secretary