

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
January 8, 2020**

FINAL

ROLL CALL

PRESENT:

Chairman Eric Stonesifer
Vice Chairman Kevin Cummings
Supervisor Naomi Decker
Supervisor Michael Ryan

Solicitor Bret Shaffer
Engineer Phillip Brath
Treasurer/Asst. Sec. Pamela Williams

ABSENT:

CALL TO ORDER:

The January 8, 2020 BOS Regular Meeting was called to order at 7:00 p.m. by Chairman Eric Stonesifer. The meeting was held at 150 Century Lane, Dillsburg, PA. For visitors in attendance, please see attached sign-in sheet.

PLEDGE OF ALLEGIANCE AND PRAYER

The Pledge of allegiance and prayer was led by Vice Chairman Cummings.

APPROVAL OF MINUTES

There were no approved minutes to approve.

PUBLIC COMMENT

There were no previous emails/notices to speak during public comment.

ORGANIZATION REPORTS

Police

Kevin attended the December meeting and a vote was taken for Heidelberg Township to join NYRCP as a contracted member and pay for services. They will not be a charter member. At the next meeting, a discussion will be held for three other townships requesting to be contracted for services. These are due to the collapse of SWRPD. North Codorus will become a charter member through the recent resolution and will now have a vote.

As in previous discussion, NYRPD wants to buy the building at approximately \$400,000 from SWRPD. Kevin was concerned about the southward expansion because it didn't seem to make sense or have a benefit for Franklin Twp. The building was originally built for \$1,000,000 plus and they have an approval to negotiate up to \$4000,000. There are currently 62 officers. It will give them space to do investigative work, storage, etc. but will not be a precinct. It will free up more space to keep more officers in Dover. From a dollars and cents view, it does make sense if they're going to use it as planned but not as a precinct. Also, with our cost going down this year due to additional municipalities, Kevin did vote to move forward to look into it.

Kevin, a commissioner and their solicitor are planning a Charter review since new municipalities are coming in. The review will be done in February.

Kevin received an email with Kevin concerning a meeting with Chief Lash. Kevin will share the results of that meeting with the board. Kevin went over the figures from the November NYRPD report We were down 8.4% on calls for the month of November and YTD as of November 2019, we were down 2.9%.

Mike had a question regarding previous discussion that Kevin was going to get more information and decide as a board. He asked if this if being streamlined and a decision is already made?

Mike also said he thought he heard about them buying new vehicles; Kevin said he had not heard that.

Fire – No fire report was received for this meeting and there was no representative present.

EMS – Advisory - No EMS/Advisory report was received for this meeting.

DAA- A report was submitted.

The Municipal Land Use Letter for Sherwood Forest Booster Pump Station was provided. Phil will email it to DAA to make sure they have it. Phil said no plans have been drawn up yet, but it seems like a simple project

Mike asked how often our comprehensive plan is updated. Phil said you can update it whenever you want. November 18, 2004 is the last time the plan has been updated but there were some transportation amendments to it that were later. Phil said it is good practice to review it every five years. Phil stated our township will be getting a request to review it from Carroll Township as they are going to update some of their zoning. It will have to be readopted once that is done. The Comprehensive Plan is with Franklin Township, Franklinton Borough, Carroll Township and Dillsburg Borough. Monaghan Township was in it but never officially signed on.

Concerning the Paving & Utility Adjustment Coordination with DAA, the work will either be Water St. or Range End Rd. Phil said they're looking to see if the township is doing any large paving projects so DAA doesn't tear it up afterwards. Mike also added if we're doing any patch work that would interrupt their lines. Mike said Franklin Glen should be on the five-year repair or project list. Phil said there is still a lot of work to be done there.

Emergency Management- Laurin had to attend another meeting. No written report was submitted.

Route 15 Transportation – Kevin provided an article to the BOS regarding Rt. 15 that will affect Franklin Township. Mike said when he went to the meeting about Rt. 74 in Carroll Township, he was under the impression they thought they could stop the Rt. 15 project and re-appropriate the funds from Rt 15 work to the Rt 74 work. Phil said he thought the Rt. 15 work was already out for bid. Phil went over the closures, S. Ridge Rd., left turns; mediums closed to cross traffic on Scotch Pine Road and medium closed to cross traffic on Hickory Road. At Clear Springs Road, traffic will be prohibited from crossing or making left hand turns during peak hours. This will be controlled by signs. It was discussed and noted that violations will still take place, but they will be in violation if they do so. County Line Road will be closed to construct cul-de-sacs north and south of the intersection to allow traffic to turn around. Bids will be awarded in April and project is estimated to be concluded in 2022. Phil pointed out the pictures on the article. Mike asked that we put some copies in the lobby. It was noted that Rt. 15 further north has these same type of turn options.

Engineer's Report- Engineer Brath submitted a report. There were a fair number of Stormwater inspections done as we wrapped up in 2019. There are a few that were not done right so they still have work to do. DePalma is done and we're working on fees.

Phil is working on Water St. to move it forward and he will have something available for the next meeting.

The MS 4 Waiver paperwork is filed, and it would be for another five years. Phil though we had some good justification but will have to wait on the decision.

Franklin Glen-Bret reached out and they responded with things they had done to meet Phil's concerns. They said the plan was going to suffice for the stormwater. Phil said it appears they want to just return it to the condition it was in the original recorded plan, prior to the additional homes. Phil said they haven't addressed some of the other concerns as well as the pipe. Phil said they haven't met the requests and demonstrated the pond can handle the stormwater that it gets from that development. We already voted to continue with enforcement and Mike asked if we advised DAA of this. Phil said he would notify the DAA. Bret will also reach out to them and see if they have any interest in joining.

Franklinton Borough has a rock/spillway coming into the pond, but it is not on the plan. We probably should get Franklinton Borough involved via their solicitor. Bret will reach out to them and see if they would like to make a written request to be an interested party. Naomi asked if the townhouses most recently built (South Heights) would add stormwater to that pond. Phil said the (new development's) post development flow would be lower than the pre-development flow. They would hold back more water when they're built and finished than the field. Phil described where the ponds are but said they are still in E & S condition and are not completely doing their job yet. In an E&S condition, it fills up then flows out when it can't hold anymore.

APPROVAL AND PAYMENT OF BILLS

A motion was made by Vice Chairman Cummings to pay the bills.

Second by Chairman Stonesifer.

Supervisor Mike Ryan abstained due to stating he didn't receive the bills information until that evening

Discussion: There was no discussion.

The motion carried.

TREASURER'S CORRESPONDENCE

Treasurers Report

A motion was made by Chairman Eric Stonesifer to pay the bills.

Second by Supervisor Naomi Decker

Discussion: There was no discussion.

The motion carried.

Treasurers Memo

Concerning refunding the septic application testing fees on a Musser project that is cancelled, Mike said they must apply for it, and it goes through the SEO. Pam said they paid the \$450 to the township for the Sewer Application and Testing. Pam needs to find out if he started anything or Vince did any work and will verify with Vince before she refunds any money. Mike said to look in Vince's records also.

BCO REPORT

A report was submitted.

ZONING OFFICER'S REPORT

A report was submitted.

The BOS received a copy of the enforcement notice for 610 Franklin Church Rd. Mike asked a question; that if they have a Cease and Desist and if nothing is sent in by the date of February 1, 2020, will it affect the Conditional Use Hearing (CUH). Bret said if they get approval at the CUH, it doesn't do away with the fact they were in violation all this time. If the township wants to impose penalties, we will have to go in front of the District Justice. We cannot do anything with the District Justice until the applicant goes in front of the Zoning Hearing Board (ZHB) because

it's a zoning issue. Eric said starting Feb 1, 2020, they could be fined \$500 a day. Bret said they could be fined beginning January 2, 2020 because it's retroactive. The appeal date is Feb 1, 2020. The kennel knows they are in violation. Wilbur makes the determination they are violating the zoning ordinance and they can appeal to the ZHB. Meanwhile, they are seeking the use through the CUH to the township. They still must deal with the fallout from the violation unless the township waives it. Mike asked if there is a standard to updating the CUH record. The DJ doesn't have the power to stop the activity and the only thing you could do is seek an injunction through the county court. It's expensive and lengthy and you may end up spending money for nothing.

SUBDIVISION AND LAND DEVELOPMENT

The BOS already approved the Lexington extension letter and have officially received a copy of the letter. There is nothing new on Sturbridge

The BOS set the date and time of CUH 2020-1, Morrison, 610 Franklin Church Road for February 5, 2020 at 6:00 PM Bret said it is not a part of the previous record from the Conditional Use Hearing held in October of 2019; it is a brand new record. The hearing must be advertised twice; outside of seven days but within 30 days for two consecutive weeks. Bret will review the advertisement. Pam asked if the neighbors must be notified and Bret said no, it is advertised and posted. There is no legal requirement to notify the neighbors. Pam will notify Wilbur to post the property.

MUNICIPAL REPORTS

Solicitor– Solicitor Shaffer had no information to report.

Road Master-Road reports are included in the Treasurer's packet.

Parks & Rec- Mark said there should be minutes done from the Parks and Recreation meeting. Pam said there had nothing received yet from Janet.

A motion was made by Chairman Stonesifer to retain Laboratory, Analytical & Biological Services at their submitted 2020 fees for water testing at the parks.

Second by Supervisor Naomi Decker.

Discussion: There was no discussion.

The motion carried.

Planning Commission – There are no completed minutes from the Planning Commission.

NEW BUSINESS

Trash Service-Eric thought the last discussion was that we weren't going to put the trash services out for bid before we knew where the pricing came in for the extension.

A motion was made by Chairman Eric Stonesifer to advertise the trash hauling contract and have it due back by 3/30/2020.

Second by Supervisor Mike Ryan

Discussion: Mike said if they want to change it to Monday pickup, now would be the time to do that. Pam said July 1,2020 is when the new contract or extension would start. Kevin expressed he prefers when the residents have a choice. Discussion was held on whether it would be best to just go with the extension. Mike said once the census is done and the township has 5,000 residents, it is mandatory. Mike said we have a good customer list. Pam stated she may need assistance from the BOS to complete this.

The motion carried.

Sound System/Microphone-Discussion was held on the sound system for meeting room and the microphone for podium. Eric said we'll get three prices first, then discuss it. Eric stated he would assist Pam with this. Mike asked about changing the configuration and Kevin said maybe they could be hung from the ceilings. Check with our current IT and get other prices.

ZHB Vacancy- A motion was made by Chairman Stonesifer to advertise for the Zoning Hearing Board vacancy.

Second by Vice-Chairman Cummings

Discussion: No Discussion

The motion carried.

Secretary Vacancy-A motion was made by Chairman Stonesifer to advertise for the Secretary position

Second by Vice-Chairman Cummings

Discussion: The BOS received a copy of the previous advertisement. Discussion was held on what publications it should be advertised in and the closing date. It was decided closing date would be January 31, 2020.

It was decided to run the advertisement in The Banner, The Sentinel, The Patriot and the web site Bret made us aware of, PA Municipal League for municipal and state positions. There is a per word price for advertising. Advertising through PSATS was also discussed. Bret gave Pam a contact name and she will contact them to see if you must be a member to advertise. Kevin recommended that we join PA Municipal League if it is \$150 or less to join.

The motion carried.

Locks-Naomi asked if we were going to change the locks since we had a resignation. Teresa's keys were collected at the time of resignation when Mark and Eric were present. She stated the township used to do that when someone left. Discussion was held on how easily key copies can be made. Duplicate keys by law cannot be duplicated. Kevin said he would rather see the money spent on a key card system.

Township Records-township records were discussed. Kevin said that he feels our records should be backed up onto a server, then to the Cloud and each computer should have its own password. He said we must have a reliable backup for our township records. He recommended we have firms submit proposals to have this done. We have to prevent tampering, sabotage, etc. Contact Jason first to verify what we currently have; what he proposes we do and what we need. Eric said he would assist Pam with this, and she felt a board member should be present if firms come in to discuss so they know exactly what is desired.

Complaint Letter-The complaint letter on 610 Franklin Church Rd. from Charles was received and Naomi asked if we should respond. It was decided to acknowledge receipt of the letter.

HR Resolutions-The Complaint Report was discussed. Eric said if we need to discuss the employee part of it, it must be in Executive Session. Based on the recommendation, Kevin would like to see if HR Resolutions offers training and provide the training that was recommended in the report. Eric stated if we are hiring a new Secretary and Road Crew member, he would suggest we wait until that's done.

A motion was made by Supervisor Mike Ryan to follow the recommendations of the HR Resolutions report and have all township employees, officials and agents receive the training.

Second by Vice-Chairman Kevin Cummings

Discussion: Scheduling of the training could be done during multiple meetings if needed. Eric would also ask how they handle training for new hires and appointees once the initial training is done. Kevin said the point is to establish a documented response. Mike said the training needs to be a requirement. Eric will get a price and details on how they facilitate it.

Mike said a training seminar was held at Celebrations Church and Mike said it was very good and when people left there everyone knew what they were supposed to do.

The motion carried.

OLD BUSINESS

The term for Lewis Albert, the DAA representative for Franklin Township ended last year. He is willing to be reappointed until we find a replacement.

A motion was made by Vice-Chairman Cummings to reappoint Lewis Albert for the DAA representative until a replacement is found.

Second Chairman Stonesifer

Discussion: Kevin asked how we were going to select someone because he had an individual in mind to recommend if that individual was willing to do it. Eric suggested trying to find a replacement without the expense of advertising. Kevin will check with the individual and let the board know if there is interest. It was suggested to place it on the township web site. It was also suggested to place it in the same advertisement with the Zoning Board position and ask the interested parties to specify which one they are interested in.

The motion carried.

CORRESPONDENCE

Eric asked if Laurin received the **2020 Elected Officials Seminar on Emergency**

Management and Pam said he had. Bret stated that Laurin asked him to revisit our Emergency Management Agreements. Bret said they are cooperation agreements with other municipalities. Bret has never heard anything from other municipalities that it needs revisited unless the board knows of any reason to review them.

Discussion was held on the **Tuckahoe 911** information received from Geisinger/West Shore.

Pam stated there were five packets of the **Optimus Risk Services Safety Information Packet** already made so she assumed they were to be given to the board members. The information appears to provide various safety talks and information.

A copy of grants from **York County Solid Waste Authority** was provided.

The **2020 Decennial Census Information** was given to the board and she relayed that she printed only parts of the email as some it appeared to be geared strictly to Western York County.

Mike stated the **York County Conservation District letter on Grants-Dirt, Gravel & Low Volume** may be a resource to the resident from Greenhouse Road that recently attended a meeting. There are grants available that can help this resident. Mike said a lot of these things are what they noticed on their on-site inspection. Mike said he assumed Carroll Township also got this information and since Phil is the engineer for Carroll Township, possibly he could bring this up with them. Mike has talked to Brandon from Carroll Township. The suggestion to send the letter to the resident was suggested by Mike and Phil stated he would do that.

PUBLIC COMMENT

Water Street-Under Public Comment, Robert Maiden from Bronson Consulting, representing Leslie Ann Miller asked a question about something that was said during the meeting. Regarding Water St., he wanted to know what the status of the Water St. project was and what was being discussed. Phil replied that the plan was to replace the culvert, stay smaller and stay in the right-of-way, not perform any road improvements except the lead up and exit and do everything within the township right-of-way. Phil stated it would remain two lanes. Mr. Maiden asked if it was designated as a one- or two-lane bridge. Phil said he did not know the answer to that. Mr. Maiden also asked if it would be up for vote at the next board meeting. Phil stated we are moving forward, have a design and will continue working on getting all the permits and putting it out for bid. Mr. Maiden asked what kind of permit was needed and Phil replied a GP-11. He will have the permit when it goes out for bid. Mr. Maiden wanted to know what the cost would be. Phil asked if their intention was to fight this plan and Mr. Maiden said he didn't know as he was just hearing about it. Phil said a solution is needed for the bridge and the township is looking for a simpler, basic solution without causing anyone problems. Mike asked when we're going to be getting this proposed plan. Phil said it would be February and the board will have some options and a memo with information to assist them in their decision.

Tim Stuffle, 625 Franklin Church Rd. had questions and comments concerning the Conditional Use Hearing for the kennel at 610 Franklin Church Road. He stated many of the neighbors are displeased and concerned about this, and they understand that the applicant has reapplied for another Conditional Use Hearing. He asked if the applicant's plans for mitigating the various nuisances that they are causing would be made available to the public ahead of the hearing. Eric said the township does not have them. Bret said they must present their case at the hearing; the board cannot see the evidence or information about it ahead of the hearing. The board can make their decision at the hearing or take it under advisement and make the decision later. Tim asked if there was time to make comments after the hearing and Bret said it should be done during the hearing. Mike said they can reference what the applicant says and come back with a decision later. Bret said the residents can testify if they have specific knowledge, they can present it. Tim would prefer to take what they say, research it, then offer comment about it. Bret said the record can be kept open and it doesn't have to end that night; another night of hearings could take place. Tim could make this plea during his presentation. For example, one of the things brought up last time was lack of expert evidence about soundproofing. They could bring an expert or information about that and the resident could then ask to hold the hearing open to present testimony another night.

Discussion was held on the minutes from the Auditors meeting and if there were any minutes. The meeting was held, and they stated they went by the motion from the BOS for the appointment of Mark Wenrich at the recommended salary.

EXECUTIVE SESSION

8:25 PM-An executive session was held on a personnel question, but no decision was going to be made. The board came out of executive session at 8: 38 PM

A motion was made by Chairman Stonesifer to adjourn the meeting at 8:38 PM

Second-Kevin Cummings

Discussion: No discussion was held.

The motion carried.

Respectfully submitted-Pamela Williams, Treasurer/Asst. Secretary