

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

**ROLL CALL**

**PRESENT:** Chairman Mark Wenrich  
Vice Chairman David Buckwash  
Supervisor Naomi Decker  
Supervisor Brian Galbraith  
Solicitor Bret Shaffer  
Engineer Phillip Brath  
Secretary Kerri J. Smith  
Treasurer/Asst. Sec. Pamela Williams

**ABSENT: None**

**CALL TO ORDER:**

The July 8, 2020, Franklin Township Board of Supervisors Meeting was called to order at 7:00 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 that an Executive Session was held from 6:41 to 6:54 pm to discuss a personnel issue and no decision was made.

**APPROVAL OF MINUTES**

**A motion was made by** Vice Chairman David Buckwash to approve the February 5, 2020, CUH# 2020-01—610 Franklin Church Rd. Meeting Minutes.

**Second** by Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

**A motion was made by** Vice Chairman David Buckwash to accept the revisions to the minutes to include the correct date of the trash bid deadline contained in the Treasurer's memorandum and a few other typos and to approve the May 13, 2020, Regular BOS Meeting Minutes.

**Second** by Chairman Mark Wenrich.

**Discussion:** Supervisor Naomi Decker was not present at this meeting.

**The motion carried.**

**A motion was made by** Supervisor Brian Galbraith to approve the June 5, 2020, BOS Special Meeting Minutes.

**Second** by Supervisor Naomi Decker.

**Discussion:** Vice Chairman David Buckwash was not present at this meeting.

**The motion carried.**

**A motion was made by** Chairman Mark Wenrich to approve the June 10, 2020, BOS Regular Meeting Minutes.

**Second** by Supervisor Naomi Decker.

**Discussion:** Naomi requested that the following statement "Supervisor's David Buckwash and Brian Galbraith were not present at meetings" to be removed from the February and March minutes as they were not on the Board of Supervisors at that time and it just sounds confusing.

**The motion carried.**

**A motion was made by** Chairman Mark Wenrich to approve the June 24, 2020, BOS Special Meeting Minutes.  
**Second** by Supervisor Naomi Decker.  
**Discussion:** There was no discussion.  
**The motion carried.**

### **PUBLIC COMMENT**

Several people were in attendance either in person or via Zoom.

- A. Discussion was held regarding the scheduling of the meeting to discuss Water Street, originally to be scheduled for the August meeting. However, with DEP not acting upon the permit and current COVID19 delays, Mr. Gordon, on behalf of the Miller family, noted it would make sense to not have the Special Meeting in August but perhaps at a later time. Discussion ensued. This is being tabled until the August meeting to decide upon a date for a Special Meeting in September.
- B. Kevin Cummings presented his discussion about reviewing the original trash ordinance. Kevin reviewed the history of the bids and cancellation of the first bid due to an unauthorized correction to the bid. He further commented on the actions, behaviors, and foul language of the residents towards the Township Secretary and Treasurer answering the phone calls. He asked for the Board to repeal the current trash ordinance and allow for a free market for the residents to be able to choose their own trash hauler.
- C. Supervisor David Buckwash had previously wanted to address the public regarding the change of trash haulers but agreed that what Kevin Cummings presented covered what he wanted to address.
- D. Public Comment – David Christiansen approached the Board stating that this could have been avoided had a public mailer been mailed out previous to the change of services. Discussion ensued. The second matter that Mr. Christiansen addressed was if there was a breakdown of the time spent by the Police in our Township. Discussion ensued. Mr. Christiansen further stated that he has placed his name in for the open position for the Board of Supervisors.
- E. Tom Stang, representative of Waste Management provided apologies for the inconvenience and lack of communication regarding the change of trash haulers. Andy Warntz, representative of Republic Services provided apologies for the lack of communication and inconvenience as well. Andy further commented on the steps he and the rest of his crew are taking to make things right amongst the residents with the change of service. Discussion ensued.

### **Appointment of a new Chair and Vice-Chair for the Board of Supervisors**

**A motion was made by** Supervisor Naomi Decker to appoint Mark Wenrich as Chairman.

**Second** by Vice Chairman David Buckwash.

**Discussion** was held.

Vote on motion. All agreed.

**The motion carried.**

**A motion was made by** Chairman Mark Wenrich to appoint David Buckwash as Vice Chairman.

**Second** by Supervisor Brian Galbraith.

**Discussion** was held.

Vote on motion. One opposing vote by Supervisor Naomi Decker, all other votes were ayes.

**The motion carried.**

### **ORGANIZATION REPORTS**

**Police** – A written report was submitted for June 2020.

#### A. Pension ICA's-

Solicitor Shaffer is seeking direction from the Board as to how closely we want him to continue looking at this matter, when the Township originally voted against it. The Board needs to decide if the Township wants to continue with the Northern York Regional Police Department, and if not, then the Township needs to give notice no later than December 2020. Further discussion ensued as to the expense involved if we left and found another service, or if we remained. Chairman Weinrich suggested to table this discussion for the August meeting. Solicitor Shaffer noted other professionals would need to be contacted for their expertise input.

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

**EMS** – A written report was submitted for May and June 2020.

**DAA**- A written report was submitted for May 2020.

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

A. Thank you letter is being sent to Duracell for their generous donation of 14,000 AA batteries.

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

A. York County Transportation Coalition July 16<sup>th</sup> meeting is cancelled. They will be having a meeting on October 15, 2020, with location and meeting topics not yet decided.

B. Update on Engineer's projects – Jug handle and road servicing project was bid on June 18, 2020, with Hemp Brothers being the lowest bidder. Notice to proceed with construction is early August 2020 and completion is expected by August 31, 2023. Discussion ensued. Nothing is happening on the Franklin Township US Route 15 study; this is the one focusing on Franklin Church Road and the Clear Springs area crossovers.

**Engineer's Report**- A written report was submitted for June 2020. Engineer Phillip Brath noted about the tar and chip bid project he is working on with Roadmaster Andy Gibb. Also, Phil is currently helping Kerri Smith and Pam Williams with Storm Water Management permits and compliance issues we need to keep moving, one being Water Street remediation that has been put off and is to be started in late August. Discussion ensued.

#### **APPROVAL AND PAYMENT OF BILLS**

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

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

#### **TREASURER'S CORRESPONDENCE**

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

**A motion was made by** Chairman Mark Wenrich to accept the report.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

**Treasurers Memo**-Treasurer/Asst. Sec. Pam Williams stated Andy would discuss more on the window bids under the Roadmaster section. Pam presented a request for Kerri Smith and herself to attend the PSAT's Regional Forum being held in Lancaster on September 23, 2020. No agenda is presently posted to the PSAT's website. Pam will check closer to the date to see if the items are applicable and beneficial. Discussion ensued.

**A motion was made by** Chairman Mark Wenrich to accept the Treasurer's memorandum and to allow Kerri Smith and Pam Williams attend PSAT's Regional Forum based on the subject matter being presented at the meeting.

**Second by** Vice Chairman David Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

A. 50 Tuckahoe Road – Status of McCreary permit. Discussion ensued regarding use of the building, not complying, and having Land and Sea Services issue a code violation. Engineer Phil Brath and Land and Sea Services will follow up with the owners regarding status and next course of action regarding compliance.

**A motion was made by** Chairman Mark Wenrich to have Pam or Kerri obtain in writing from Land and Sea that Mr. McCreary is occupying the building without a Certificate of Occupancy and direct Land and Sea to send a

Cease and Desist letter until Mr. McCreary is compliant; and for Engineer Brath to follow up on the Storm Water Management. Also, to table this matter until the August meeting to give Mr. McCreary an opportunity to respond.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

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

A written report was submitted for June 2020.

### **SUBDIVISION AND LAND DEVELOPMENT**

A. Solicitor Shaffer inquired on the letter from York County Planning Commission regarding Barbara A. Kohr/ Zachary A. and Andrea Marie Dunkle plans. It was noted that it is currently with the Planning Commission for their review at their July 13, 2020 meeting.

### **MUNICIPAL REPORTS**

**Solicitor**—Solicitor Shaffer noted a letter was received regarding Purdue Pharmaceutical's litigation, multi-district suit currently in Federal Court regarding opiates distributed over the United States and numerous Municipalities suing for the increased costs involved with the opiate crisis. Discussion ensued as to whether Franklin Township wanted to get involved with the suit and ultimate settlement. Solicitor Shaffer is going to look into this for what additional information is needed

Solicitor Shaffer noted about the unadvertised Special Meeting that took place pursuant to the Emergency Declaration on June 29, 2020, regarding the signage needed for Parks and Recreation due to COVID and that he suggests they do a public vote and motion now to ratify the actions taken during that meeting.

**A motion was made by** Chairman Mark Wenrich to ratify the decisions made in the Special Meeting on June 29, 2020, to establish the cleaning of porta potties for 6 days a week, Park and Recreation pavilion rentals with signage placement at both parks, and Little League rental contingent upon signing of COVID release forms.

**Second by** Vice Chairman David Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

Solicitor Shaffer mentioned about the letter received from the Rudy's regarding the Ag Security areas and the 180 day waiting period about to end at the end of July before the next BOS meeting, and noting a second Ag Security application that will run shortly thereafter the next BOS meeting. Solicitor Shaffer believes a vote was taken on this before the COVID happened, he would like a motion taken to allow Bret/Pam/Kerri to get the documentation needed to the Rudy's and also to the County to include the Rudy's in the Ag Security area.

**A motion was made by** Chairman Mark Wenrich to allow Solicitor Shaffer/Pam/Kerri to get all the information and documentation needed to the Rudy's to ensure they are registered for the Ag Security.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

**Road Master-** A written report was submitted and discussed. Roadmaster Gibb requested a used roller to be purchased. Discussion ensued regarding dollar amount budgeted, allowing Andy the go ahead when he finds the equipment at the allowable amount.

**A motion was made by** Chairman Mark Wenrich to allow Roadmaster Gibb to look for/purchase a used roller up to the amount of \$10,000.00.

**Second by** Supervisor Dave Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

Roadmaster Gibb went on to the next item regarding line painting and noted that the three bids were previously provided to the Supervisors for review and comment. Discussion ensued regarding amount budgeted of \$7,000.00 and work involved.

**A motion was made by** Chairman Mark Wenrich to allow Roadmaster Gibb to contract Gemmill to complete the line painting for the amount up to \$7,000.00.

**Second by** Vice Chairman Dave Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

Roadmaster Gibb and Engineer Brath went on to discuss tar and chip work for four (4) roads, Whiskey Springs, Acoma, Pomo and Glenwood. Discussion ensued about tar and chip and sweeping afterwards for the recovery of the chips (sweeping under the supervision of Andy), the work and cost involved. They are requesting approval for the advertisement in the Banner to obtain bids from three (3) companies for tar and chip work to be submitted by August 10, 2020, to the Township.

**A motion was made by** Chairman Mark Wenrich to advertise for bids in the Dillsburg Banner for the tar and chip work to be completed on Whiskey Springs, Acoma, Pomo and Glenwood roads.

**Second by** Supervisor Brian Galbraith.

**Discussion:** There was discussion by Engineer Brath noting that the bids once received by the Township no later than August 10, 2020, by 2:00 pm, would be opened and read aloud at 2:10 pm at the Township Building by Roadmaster Gibb and Engineer Brath and then submitted to Solicitor Shaffer for review. Engineer Brath and Roadmaster Gibb's recommendation would then be provided to the BOS for approval at the BOS August 12, 2020, meeting. Kerri Smith will be placing the advertisement with the Dillsburg Banner.

**The motion carried.**

**A separate motion was made by** Chairman Mark Wenrich to allow Roadmaster Gibb to contract sweeping at his discretion to recover excess #8's for reuse/redistribution elsewhere.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

Roadmaster Gibb went on to the next item regarding window replacements. Andy did make sure that the bids were still current and advised that they have not changed. Discussion ensued regarding amount budgeted, work involved, when it would be done and if bidding were required for capital improvement and if so, at what dollar amount? The amount we are capped at is \$11,300.00. Further discussion ensued regarding the door with crash bar and insulation. Andy will get an updated quote on the replacement steel door with the panic/crash bar. Chairman Wenrich noted we will place the insulation on hold so it can be added to next year's budget.

**A motion was made by** Chairman Mark Wenrich to allow Roadmaster Gibb to purchase 10 encasement energy efficient windows including molding and blinds to cover all windows after install.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

Roadmaster Gibb went on to the next item regarding mulching of the parks. Roadmaster Gibb noted it has not been done for two years now. Discussion ensued regarding the quality and quantity of the mulch, amount to do so and which budget it was to come from (Parks & Rec).

**A motion was made by** Chairman Mark Wenrich to allow Roadmaster Gibb to apply mulch to both parks.

**Second by** Vice Chairman David Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

Roadmaster Gibb went on to the next item regarding Range End Road repairs. Roadmaster Gibb noted it is easier to repave a portion of the road. Discussion ensued regarding which budget it would come from (Liquid fuels) and work to be done.

**A motion was made by** Chairman Mark Wenrich to allow Roadmaster Gibb and road crew to make the necessary repairs at Range End Road.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**The motion carried.**

Roadmaster Gibb went on to the next item regarding Twin Hills Road. Roadmaster Gibb noted that the road keeps washing out with each storm. Discussion ensued regarding getting the plans for those plots and seeing if a driveway permit is on record from Mr. Goodling, and if this is something that the Township needs to take care of or if it falls on the owners. Mark noted we need to send a letter to Mr. Goodling requesting copies of the plot plans and driveway permits and we will decide where to go from there.

Roadmaster Gibb went on to the next item regarding a resident living on Cabin Hollow Road voiced concern how it is heavily traveled by tractor trailers and how the bridge has been hit several times by tractor trailers over the past year. The resident asked if we could limit the usage of that road and bridge by the tractor trailers? Discussion ensued regarding the road/bridge and being within county jurisdiction and weight restrictions. Engineer Phil Brath is to going to contact the correct person/department within York County regarding this issue.

### **Parks & Recreation – No minutes or correspondence**

Chairman Wenrich started off discussion regarding the updating of the current signs posted at both parks. Supervisor Galbraith brought up an issue about the trash dumping. Mrs. Terry Hoffman noted that the trash dumpsters currently have signs regarding illegal trash dumping. Discussion ensued. Kerri Smith is to contact Republic Services regarding signage needed for the dumpsters.

Mark went down the list of the current signage at the parks to discuss each item individually. Discussion ensued regarding each item, specifically regarding horses and ultra-lights, and the addition of the prohibition of the Ultra-lights and horses in the parks. Roadmaster Gibb had produced previous signage approved and made up; it was determined those were not to be used.

**A motion was made by** Chairman Mark Wenrich to adopt the rules just reviewed in the Board of Supervisors July 8, 2020, meeting.

**Second by** Vice Chairman David Buckwash.

**Discussion:** There was no discussion. Supervisor Brian Galbraith was the only one to oppose all others agreed.

**The motion carried.**

**A motion was made by** Chairman Mark Wenrich to allow Parks and Recreation procure the appropriate signage for both parks.

**Second by** Vice Chairman David Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

Terry Hoffman further discussed some recommendations previously presented for approval such as the basketball courts need to be repainted, a bike rack, the name of Franklin Township/Century Lane needs to be decided on which name to use, the need for two benches at the play area, painting of the bathroom floors and the issue of horse shoes being stolen from the park. Roadmaster Gibb noted the bathroom floors in both parks have already been painted and that the one wooden bench has already been restored in Ponderosa Park. Discussion ensued regarding these items. Roadmaster Gibb is going to obtain a quote for the repainting of the basketball courts. The horseshoes issue will be revisited next season to see where things stand.

**A motion was made by** Vice Chairman David Buckwash to continue to name the park Century Lane Park to be consistent with the posted signage.

**Second by** Chairman Mark Wenrich.

**Discussion:** There was no discussion.

**The motion carried.**

**A motion was made by** Chairman Mark Wenrich to allow the purchase of one bench and one bike rack for Century Lane Park.

**Second by** Vice Chairman David Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

Terry Hoffman noted there was no Parks and Recreation meeting held in June. COVID release and signage was discussed for little league baseball and soccer.

### **Planning Commission – No minutes**

A. David Buckwash resignation

**A motion was made by** Chairman Mark Wenrich to accept the resignation of David Buckwash from the Planning Commission.

**Second by** Supervisor Brian Galbraith.

**Discussion:** There was no discussion.

**The motion carried**

### **NEW BUSINESS**

A. Gary Morrow, SEO- discussed changing the procedure for the collection of payment for services provided would be. Discussion ensued regarding new collection procedure.

**A motion was made by** Chairman Mark Wenrich to, contingent upon Solicitor review, change the fee collection procedure of SEO.

**Second by** Supervisor Brian Galbraith.

**Discussion:** There was no discussion.

**The motion carried.**

B. Cleaning Service – Status of obtaining bids. Kerri Smith noted one was received, but still need to obtain two additional quotes. Due to the increase of calls due to the trash hauler change, Kerri and Pam were unable to obtain all of the bids needed. Should we advertise by word of mouth, searching internet or advertise for bids? It was decided that no advertisement in the paper was needed. Chairman Wenrich noted to table to the August meeting.

C. Advertising protocol – Sections 3101-3109 2<sup>nd</sup> Class Township Code. PSATs flyer has the rules, will provide to Mark, David and Brian. Table for August.

D. 2019 YATB Financial Report & Bylaws Committee Recommendations – no comments or objections to add.

E. Adams & York County Tax CC Financial Report dated 12/31/2019 – no comments or objections

### **OLD BUSINESS**

A. Appointment of Supervisor replacement for Kevin Cummings term which runs through 12/31/2021 – One response was received by David Christiansen. Brian Galbraith also knows of another interested candidate. We have 30 days, until July 30, to obtain the replacement and turn the letters into the Board of Elections announcing the replacement. Chairman Wenrich noted a Special Meeting will be required. The date to schedule interviews will be Wednesday, July 15, 2020, and the Special Meeting will take place Friday, July 24, 2020, at 7:00 pm. Solicitor Shaffer and Kerri Smith will work on getting that advertisement into the Dillsburg Banner.

B. Appoint DAA Representative—Table for August agenda

C. Appoint ZHB Alternative Member—One interested party. Table for August agenda

D. Appoint PC Member—2 interested candidates – will interview one candidate on Wednesday, July 15, 2020, at 7:30 pm. The second candidate was previously interviewed.

E. Appoint EMS Advisory Member—appointing Naomi Decker.

**A motion was made by** Chairman Mark Wenrich to appoint Supervisor Naomi Decker to the position of EMS Advisory Member.

**Second by** Supervisor Brian Galbraith.

**Discussion:** There was no discussion.

**The motion carried.**

F. Signed Extension of Declaration of Disaster Through July 8, 2020 & New Extension

**A motion was made by** Chairman Mark Wenrich to extend the Extension of Declaration of Disaster Through August 12, 2020.

**Second by** Vice Chairman David Buckwash.

**Discussion:** There was no discussion.

**The motion carried**

### **CORRESPONDENCE**

- A. York County Conservation District Excellence Grant Program—no action
- B. York County Community Foundation—no action
- C. Thank you letter from New Hope Ministries for donation—no action
- D. York County Planning Commission email announcing two new positions created (Chief Opportunity Officers and Diversity Equity and Inclusion Community Planner) —no action
- E. Republic Services Contacts for Franklin Township—no action
- F. Residents correspondence regarding trash services—previously addressed
- G. Dillsburg Area Public Library letter—no action
- H. York County Solid Waste Authority Notice—no action
- I. Upcoming Webinar BRIC Grant Program—Engineer Phil Brath is interested.
- J. Press Release – Antlerless Hunting Licenses Going on Sale July 13, 2020—no action

### **PUBLIC COMMENT**

There was no public comment.

**EXECUTIVE SESSION-** No further Executive Session was held.

### **ADJOURNMENT at 10:36 p.m.**

**A motion was made by** Vice Chairman David Buckwash to adjourn the meeting at **10:36pm**.

**Second by** Supervisor Naomi Decker.

**The motion carried.**

Respectfully submitted,

*Kerri J. Smith*

Kerri J. Smith

Secretary