

FINAL

**FRANKLIN TOWNSHIP YORK COUNTY PA  
BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
MARCH 10, 2021**

**ROLL CALL**

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

**ABSENT:** Chairman Mark Wenrich

**CALL TO ORDER:**

The March 10, 2021, Franklin Township Board of Supervisors (BOS) Meeting was called to order at 7:03 p.m. by Vice Chairman Brian Galbraith. 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.

**PLEDGE OF ALLEGIANCE AND PRAYER**

Pledge of Allegiance and Prayer was led by Vice Chairman Brian Galbraith.

**APPROVAL OF MINUTES**

**A motion was made by** Supervisor David Buckwash to approve the February 10, 2021, BOS Regular Meeting Minutes.

**Second** by Supervisor David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

**PUBLIC COMMENT**

None.

**ORGANIZATION REPORTS**

**Police –**

A written report was submitted for January 2021 as well as the February 2021 activity report. Vice Chairman Brian Galbraith noted that the response calls were down 6% for the month of February.

**Fire –**

A written report was submitted for February 2021.

**EMS –**

A written report was submitted for February 2021.

**DAA –**

A written report was submitted for January 2021.

**Emergency Management-**

No written report was submitted.

**Route 15 Transportation –**

A Travel Advisory was received March 5, 2021, regarding the Project on Route 15 in Adams and York Counties to Begin Sunday Night (March 7, 2021). Supervisor David Christensen stated that they should be notifying the Townships before the work is advertised to make them aware. Discussion ensued regarding the projection description and projected schedule.

**Engineer's Report-**

A written report was submitted for February 2021.

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DC Gohn – Elizabeth Bergey Pond Project—Engineer Brath noted that he met with the Engineer Donovan Hollway and Mrs. Elizabeth Bergey on Friday, March 5, 2021, to discuss the project. Engineer Brath noted his concerns about Steep Slope and stated that the matter would need to be decided by the Township BOS. Mrs. Bergey addressed the BOS to give them an overview of the project and how she and her husband would like to have a pond on their property. Discussion ensued regarding all the details to make it safe for their property and the surrounding neighbors and properties. Mrs. Bergey stated that she wanted to get an opinion of the BOS to see if they were in favor or against the project. If the BOS were against the project then Mr. and Mrs. Bergey would not pursue it any further; they did not want to waste the time and money only to have it rejected. The BOS is not against the project, but they advised Mr. and Mrs. Bergey to do more research on the mines located in that area to see if it would affect the project. Supervisor Naomi Decker mentioned the Apple Blossom Estates had once did a study on the mining in the area. A Conditional Use Hearing would be needed should Mr. and Mrs. Bergey proceed forward with the project.

Lexington Fields—Engineer Phil Brath gave an overview of the memorandum regarding the TIS Scoping Application and the trip distribution of traffic regarding the proposed development, Lexington Fields. Discussion ensued regarding the trip distribution with Glenwood Road and Bypass Road intersection with SR0194. Engineer Brath noted that it was not reasonable and is not acceptable. It is not safe and/or fiscally responsible to all the Township residents. Engineer Brath will be writing a letter to the Attorneys for Lexington Fields to advise them the Bypass Road is not adequate for traffic generated by Lexington Fields.

YCPC Project 21-008-Northern York County Regional Comprehensive Plan Amendments—Engineer Phil Brath discussed the zoning amendment being reviewed in Carroll Township and the need to change the Comprehensive Plan. A letter was received from Carroll Township's Secretary, Faye Romberger discussing the proposed changes for the Zoning in Carroll Township. Discussion ensued regarding how this would affect Franklin Township and residents. Carroll Township has a meeting scheduled for April 19, 2021, at 6:30 pm at their Municipal office to discuss the Comprehensive Plan Amendments if anyone is interested in attending.

### Franklin Glen Update—

Engineer Phil Brath noted that he made a site visit after the rain to see how it affected the area and it was good. This matter is being discussed more in the Solicitor's section.

## **APPROVAL AND PAYMENT OF BILLS**

**A motion was made by** Vice Chairman Brian Galbraith to pay the bills.

**Second by** Supervisor David Buckwash.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

## **TREASURER'S CORRESPONDENCE**

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

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

**Second by** Supervisor David Buckwash.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

### **Treasurers Memorandum-**

Treasurer/Asst. Sec. Pam Williams discussed tracking of and approval of vacation. Vice Chairman Brian Galbraith had questioned how it was handled and asked Pam to place it on the agenda. Discussion ensued as to how it is currently being handled. The BOS decided that how the tracking and approval of vacation is currently being done is sufficient and no further discussion or changes were needed.

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

A written report was submitted for February 2021.

## **SUBDIVISION AND LAND DEVELOPMENT**

239 Stone Head Road—Engineer Brath noted there is a setback and encroachment of driveway that were discussed with the Planning Commission and they gave conditional approval. Discussion ensued.

## **L-CUBED EXTENSION**

Engineer Brath noted that the extension was overlooked by John Madden at the Planning Commission meeting and he had failed to submit the request for an extension through the end of May 2021. Secretary Kerri Smith

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reached John Madden by telephone. John Madden verbally requested the BOS for an extension of time through May 21, 2021. Discussion ensued regarding the status of the project with John Madden, Engineer Brath and the BOS. John stated that he would email the extension request letter to Secretary Kerri Smith tomorrow and thanked the BOS for their time.

**A motion was made and amended by** Supervisor David Buckwash to accept John Madden's (on behalf of his client L-Cubed) Request for Extension of Time through May 21, 2021, contingent upon letter being provided to the Township by March 11, 2021.

**Second by** Supervisor David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

## **SOLICITOR REPORT**

Retraction of Motion for Tax Collector Increase—Solicitor Shaffer noted that the tax collector salary is capped so the motion was void and needs to be rescinded.

**A motion was made by** Vice Chairman Brian Galbraith to retract the approval to increase the tax collector's commission from 5% to 6% for local taxes.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

Records Retention/Destroying Expired Records—Solicitor Shaffer noted that he is looking into the several retention record guidelines in place that are applicable to our records. He suggested that a policy needs to be put into place. Discussion ensued regarding the current Right to Know project, the abundance of old records currently on hand, and going through and following the retention record guidelines provided for by the County and State. Solicitor Shaffer will review the retention guidelines further and talk to PSATS for their best practices procedure for handling this the best way possible. The BOS needs to create a policy for the record retention. Tabled for April meeting.

Zoning Amendment Advertisement—Solicitor Bret Shaffer discussed the revision of the language and noted the next step would be to advertise with intentions to adopt and hold a public hearing for the Zoning Amendment as approved by York County Planning Commission. Discussion ensued regarding the public hearing which will be scheduled for the next BOS on April 14, 2021 at 7:00 pm. Bret will prepare the notice for advertisement.

**A motion was made by** Supervisor David Buckwash to advertise with intentions to adopt and the public hearing for the Zoning Amendment as approved by the York County Planning Commission with the revised conditions and the hearing will take place during the April 14, 2021, BOS Regular Meeting at 7:00 pm.

**Second by** Supervisor David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

Revised EMS Agreement—Solicitor Bret Shaffer noted that there are several items (seat on advisory, monthly reporting) that need to be included in this agreement before final approval. Discussion ensued. The agreement is to be revised with those items and provided to the BOS. Tabled for April meeting.

3-5 Meadowview—Lorin & Sandra Stough to Russell & Kathryn Mason—There are two modules that will need to be recorded; further review is needed; tabled for April meeting.

Clint & Joann Williams—No new update; tabled for April meeting.

Franklin Glen Update—Solicitor Bret Shaffer noted that paperwork was filed with the Court to stop the suit.

Executive Session –The Right to Know Requests first batch was sent to the Miller's attorneys and the due date was extended until March 26, 2021. Water Street will be discussed at the Executive Session at the end.

## **MUNICIPAL REPORTS**

### **Parks & Recreation –**

A written report was submitted for January 2021.

Volunteer opportunity—An email from Steph Boudier was received in the Township office via email requesting possible volunteer opportunities available for Ms. Boudier and her daughter with the Parks and Recreation. Discussion ensued regarding Ms. Boudier's volunteer project ideas. Supervisor Naomi Decker asked if Ms.

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Bouder would be interested in serving on the Parks & Recreation Board. Ms. Bouder stated that she is interested in serving and would be sending an official notice of interest to Secretary Kerri Smith via email.

Resignation from Parks & Recreation Board—A letter of resignation from the Parks & Recreation Board was received from John Kuntz. Discussion ensued.

**A motion was made by** Supervisor Naomi Decker to accept John Kuntz's resignation from the Parks & Recreation Board.

**Second by** Supervisor David Buckwash.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

Chairman Terry Hoffman addressed the BOS and noted about the Board dissolving as they feel that they just are not needed or appreciated by the BOS. Terry stated that the Parks and Recreation members feel it is a waste of time as none of the Supervisors attend any of the meetings to give support, and they do not give input on any ideas or projects. The BOS all agreed that the Parks and Recreation Board Members are appreciated and are necessary. Vice Chairman Brian Galbraith and Supervisor Naomi Decker both stated that if there are any projects or ideas that the Parks and Recreation have in mind that they need to submit a written request for them to be discussed at the BOS regular meeting. Supervisor Naomi Decker noted that the protocol is in place for everyone to follow and they are not able to discuss items if they are not made aware of those ideas. They all agreed that communication is key. Discussion ensued regarding some needs and ideas for the parks that the Parks and Recreation Board Members have in mind. Supervisor David Christensen informed Terry Hoffman about the tree sapling sale that the County is currently going on. He stated further that he is going to donate \$100.00 to the Parks and Recreation for them to order new tree saplings for planting in the parks. Terry Hoffman will place the order for the tree saplings. Supervisor David Christensen will pick the tree saplings up in April and deliver them to the Township Building for the Parks and Recreation Board to take care of having them planted. Terry Hoffman thanked Supervisor David Christensen for the donation and then further commended Roadmaster Andy Gibb and the Roadcrew for the great job they have been doing at the Parks.

### **Roadmaster –**

The report was included in the Treasurer's packet.

Township Barricades—Chairman Mark Wenrich had asked Andy to address the use of the Township barricades on State maintained roads with the BOS. Discussion ensued regarding a recent use of the Township barricades on a State maintained road where electrical wires had come down. The Fire department was dispatched to handle the matter, and the State did not send anyone out to block off the road. EMA, Laurin Fleming asked for Andy to place the Township barricades on the road for safety issues.

**A motion was made by** Supervisor David Christensen that the barricades are to be used by the Township-on-Township roads only.

**Second by** Supervisor David Buckwash.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

Park Seasonal Water Testing—Roadmaster Andy Gibb addressed the BOS regarding the paperwork for April through October needing filed with DEP regarding water testing done while the parks are open. Discussion ensued regarding the charges involved and how tests must be completed one month prior to the opening of the parks. Due to COVID the parks are closed and will be while the Emergency Declaration is in place. The BOS advised Andy to keep them closed until further notice. Andy will be notified within enough time to have the testing done one month prior to opening the parks.

Replacement Heat Pump Quotes—Roadmaster Andy Gibb provided three quotes obtained from Central Penn Plumbing Service, Inc., FM Berkheimer, and HB McClure for the heat pump that recently stopped working; this pump provides air conditioning to the Township Municipal Building. Discussion ensued regarding the pricing, brands, and quality of the pumps. Secretary Kerri Smith is to contact Central Penn Plumbing Service, Inc. regarding the accepted quote.

**A motion was made by** Vice Chairman Brian Galbraith to approve the purchase and installation of the Bryant Equipment 15 Seer Single Stage Heat Pump at the quote of \$5,300.00 from Central Penn Plumbing Service, Inc.

**Second by** Supervisor David Buckwash.

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**Discussion:** There was no discussion.

**All in favor. The motion carried.**

2021 Truck Quotes—Roadmaster Andy Gibb provided pricing obtained from COSTARS for 2021 trucks. Andy also provided information on the option of leasing the truck in comparison to buying the truck out right to see which would be more beneficial for the Township. Discussion ensued regarding the chassis and options available and what was necessary and/or needed for the truck to best suit the needs of the Township road work. The BOS decided to buy the truck rather than lease.

**A motion was made by** Vice Chairman Brian Galbraith for Roadmaster Andy Gibb to purchase the 2022 F-600 Chassis as listed in the Keystone Ford quote as per the specifications.

**Second by** Supervisor David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

**A motion was made by** Vice Chairman Brian Galbraith for Roadmaster Andy Gibb to purchase the aluminum bed through the Somerset Welding & Steel, Inc. quote that includes the additional hydraulic controls and the drop-down sides through Stephenson Equipment, Inc. and ensuring Andy Gibb monitors the correct assembly.

**Second by** Supervisor David Buckwash.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

**Planning Commission –** No written report.

Supervisor Naomi Decker inquired about the new meeting date for the Planning Commission and advertisement of those meetings. Secretary Kerri Smith stated that the new meeting dates for the Planning Commission were advertised in the March 11, 2021, issue of The Dillsburg Banner. An email was sent to the BOS and Solicitor Shaffer on March 4, 2021, notifying them of the advertisement being placed for notification to the public regarding the new meeting dates. Discussion ensued.

**A motion was made by** Supervisor Naomi Decker to ratify the dates of the Planning Commission's meetings to the second Tuesday of each month.

**Second by** Supervisor David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

## **NEW BUSINESS**

PSATS 2021 Convention—PSATS decided to cancel their 2021 Convention due to COVID-19 restrictions still in place. Additional information is to be provided by PSATS regarding upcoming events. No action needed.

2021 PA Election Important Dates to Remember—Secretary Kerri Smith noted that two Supervisors are up for election in 2021. Supervisor David Christensen noted he would be running for office and Vice Chairman Brian Galbraith noted that he would not be running for office. Discussion ensued regarding the one open position for BOS.

Notice of Assessment Hearing—19 W. Greenhouse Rd. & 172 Locust Grove Rd.—Solicitor Shaffer noted that no action is needed by the BOS at this time.

DCED Accepting Applications for Act 13 Grants—Engineer Brath discussed what the Grant provided. The BOS stated no action was needed.

## **OLD BUSINESS**

DAA Representative & Zoning/Codes Officer—Discussion ensued regarding the interview previously held for the Zoning/Codes Officer with Barry Isett and their request for another interview regarding an updated price quote and having the Zoning/Codes Enforcement representative available to discuss the needs with the BOS and Land and Sea Services. Secretary Kerri Smith is to reach out to Jared Gasiewski to see availability for an in-person meeting for April 14, 2021, at 6:30 pm. Discussion ensued regarding the status of applicants for the DAA Representative. Nothing more was received for a possible candidate for the DAA Representative.

Continuation of Daily Cleaning of Porta Potty at each Park—Discussion ensued regarding the need to have the porta potties cleaned daily as long as the COVID pandemic continues.

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**A motion was made by** Supervisor David Buckwash to continue daily cleaning of the porta potties in both Parks by Walters Services until the April 14, 2021, BOS meeting at which time it will be reevaluated.

**Second by** Supervisor David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

Security System—Supervisor David Christensen gave an update on this matter. Discussion ensued regarding an on-site evaluation by COSTARS, memory space, battery backup and access control system advertisement. Solicitor Shaffer noted it would be prudent to obtain additional COSTAR quotes to compare. Tabled for April meeting.

**A motion was made by** Supervisor David Buckwash to authorize the request for Bids for the security system outlined by Supervisor Christensen to meet the specifications that were he indicated using COSTAR.

**Second by** Supervisor David Christensen.

**Discussion:** There was none.

**All in favor. The motion carried.**

Extension of Declaration of Disaster—extended through April 14, 2021

**A motion was made by** Vice Chairman Brian Galbraith to extend the Emergency Disaster Declaration through April 14, 2021.

**Second by** Supervisor David Buckwash.

**Discussion:** There was none.

**All in favor. The motion carried.**

## **CORRESPONDENCE**

2020 York County Real Estate Market Report—REALTORS Assoc. of York & Adams Counties-no action needed.

York County Vaccine Update 2/12 & 2/24/21-no action needed.

Pennsylvania 811 Virtual Safety Day—April 21, 2021, 7:00 am – 1:00 pm-no action needed.

COVID-19 Hospitality Industry Recovery Program (CHIRP) News Release—2/19/21-no action needed.

YATB February 2021 Distribution of Earned Income Taxes Summary-no action needed.

York County Conservation District—Large Woody Debris Program-no action needed.

York County CAP/COM Process—Engineer Phil Brath discussed the CAP COM process. Supervisor Naomi Decker expressed concerns about York County Planning Commission just pushing it through without input from any of the Townships and was not comfortable approving that. Solicitor Shaffer is to reach out to YCPC for additional information regarding CAP COM and report back to the BOS. Tabled for April meeting.

**A motion was made by** Supervisor Naomi Decker for Solicitor Bret Shaffer to prepare letter to York County Planning Commission regarding the Township concerns on the CAP COM Process.

**Second by** Supervisor David Buckwash.

**Discussion:** There was none.

**All in favor. The motion carried.**

York-Cumberland Bridge closed for repairs—Slate Hill Bridge—News Release 2/25/21-no action needed.

## **PUBLIC COMMENT**

There was no public comment.

Solicitor Bret Shaffer discussed that the Audit Fee should be performed yearly rather than every other year as previously decided at the March meeting, and how it came out afterwards that PSATS recommended it being done every year. In addition to the question about the \$500 fee being paid for from the Trust Fund.

**A motion was made by** Vice Chairman Brian Galbraith to do the PSATS GASB Report Audit annually and take the money to pay for those audits from the Trust Fund.

**Second by** Supervisors David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

Solicitor Bret Shaffer asked if the BOS was going to designate someone to attend the Fire Company meeting being held at Carroll Township on March 16, 2021, at 6:30 pm.

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**A motion was made by** Vice Chairman Brian Galbraith for Supervisor Naomi Decker and Supervisor David Christensen with Vice Chairman Brian Galbraith as Alternate go to the meeting at Carroll Township on March 16, 2021, at 6:30 pm regarding the Fire Department.

**Second by** Supervisors David Christensen.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

**EXECUTIVE SESSION-**

An Executive Session was requested by Solicitor Bret Shaffer and was held from 11:17 PM to 11:30 PM to discuss the Water Street Bridge. No action was taken.

**ADJOURNMENT at 11:31 p.m.**

**A motion was made by** Supervisor David Buckwash to adjourn the meeting at **11:31pm**.

**Second by** Vice Chairman Brian Galbraith.

**Discussion:** There was no discussion.

**All in favor. The motion carried.**

Respectfully submitted,

*Kerri J. Smith*

Kerri J. Smith

Secretary