

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
November 13, 2019**

ROLL CALL

PRESENT:

Chairman Eric Stonesifer

Vice Chairman Kevin Cummings

Supervisor Naomi Decker

Solicitor Bret Shaffer

Engineer Phillip Brath

Treasurer/Asst. Sec. Pamela Williams

Secretary Teresa Adams

ABSENT:

Supervisor Michael Ryan

CALL TO ORDER:

The November 13, 2019 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. Visitors in attendance please see attached sign-in sheet.

PLEDGE OF ALLEGIANCE AND PRAYER

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

EXECUTIVE SESSION

There was an Executive Session held prior to the BOS regular meeting for the purpose of reviewing and discussing the Twp. Engineer's contract and fees.

APPROVAL OF MINUTES

October 9, 2019 BOS Regular Meeting minutes –

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

Second by Supervisor Wenrich.

Discussion: A discussion ensued not to approve the minutes as written as there was important information missing that should have been included in the minutes pertaining to Mr. Garland's comments shared with the BOS regarding the Lexington Fields SD/LD plans. The motion and second were withdrawn.

A new motion was made by Vice Chairman Cummings to table the October 9, 2019 BOS Regular Meeting minutes until the November BOS Regular meeting to allow for Mr. Garland's remarks to be added to the October 9, 2019 BOS Regular meeting as well as any other edits that needed to be made.

A new second was made by Supervisor Decker.

Discussion: There was no further discussion.

The motion carried.

October 9, 2019 Conditional Use Hearing CUH2019-4, Morrison –

A motion was made by Vice Chairman Cummings to approve the October 9, 2019 CUH minutes for CUH2019-4 with updated corrections submitted by Supervisor Decker.

Second by Supervisor Wenrich.

Discussion: It was said that Chairman Stonesifer did not call the meeting to order as he was absent from the meeting and the correction should be made to the minutes.

The motion carried. Chairman Stonesifer abstained as he was absent.

October 9, 2019 Conditional Use Hearing CUH2019-6, Renard –

A motion was made by Vice Chairman Cummings to approve the minutes for October 9, 2019 CUH2019-6 as written.

Second by Supervisor Wenrich.

Discussion: There was no discussion.

The motion carried. Chairman Stonesifer abstained as he was absent.

October 16, 2019 Conditional Use Hearing CUH2019-5, Weaver –

A motion was made by Vice Chairman Cummings to approve the minutes for October 16, 2019 CUH2019-5 with corrections as submitted by **Supervisor Decker**.

Second by Supervisor Wenrich.

Discussion: A discussion ensued on which BOS members were present and about a question that was asked by a resident and resolved during the Executive Session which Solicitor Shaffer said does not need to be recorded in the minutes because it took place while the meeting was not in progress.

The motion carried. Chairman Stonesifer abstained as he was absent.

October 24, 2019 Conditional Use Hearing CUH2019-5 continuation, Weaver –

Chairman Stonesifer said these minutes will need tabled due to the absence of those Supervisors who attended the meeting; therefore, a quorum could not be formed for the approval of minutes.

October 16, 2019 Budget Meeting minutes –

A motion was made by Vice Chairman Cummings to approve the October 16, 2019 Budget Meeting minutes as written.

Second by Supervisor Wenrich.

Discussion: There was no discussion.

The motion carried.

PUBLIC COMMENT

William Rowley, 124 Ridge Drive – Mr. Rowley sent a letter to the Twp. in which he expressed a concern about a right of way next to his property and the BOS acknowledged receipt of the letter. Mr. Rowley said his concern was that the measurements for setbacks to install a pool were done against the right of way instead of the property lines. A discussion ensued pertaining to his property and the property next door. Engineer Brath said the right of way in question was not a right of way but the pole portion of a flag lot and that portion of land belongs to the owner of the flag lot. Engineer Brath explained that a right of way is a portion of land next to a street or a road that passes over someone's property to access another property.

ORGANIZATION REPORTS

Police - A report was submitted and Vice Chairman Cummings reported that by North Codorus Twp. joining to use NYRPD it would save the Twp. approximately \$3,000 in 2020, resident Donna Slusser advised Vice Chairman Cummings there is a speeding issue on Range End Road which he reported to the department, the traffic tracking signs are being posted on Twin Hills Road.

Fire - A report was submitted. Chief Scott McClintock was present and reported the following for the month of October:

- October 14 – responded to a crash on S. Mountain Road.
- Month to date overall totals are 42 incidents; Franklin Twp. 10 month to date
- Year to date overall totals are 445; Franklin Twp. 100 year to date
- The department participated in Fire prevention month visiting all 3 Elementary schools and several Daycares
- The department participated in Farmers Fair; this is the biggest fundraiser of the year for the department.
- ISO review was completed.
- The department submitted request for Grants to the state which they are entitled to apply separately for up to 10 years
- The department participated in Trick-or-Treat
- The tower truck had annual preventative maintenance.
- Rescue truck 215.2 is out of service for warranty work on the paint
- Budget packet with final business plan and financials should have been received by the BOS and a tentative meeting is to be scheduled after the beginning of 2020

- Discussion ensued on a fire tax, what is permissible in the state of PA, what surrounding municipalities think and are doing regarding the issuance of such a tax. Chief McClintock said Carroll Twp. will be attending the meeting in early January with their proposal for a fire tax. Vice Chairman Cummings shared that currently Franklin Twp. spends approximately \$90,000 annually between the payment toward the fire truck and donations and there's no way the Twp. could afford to contribute \$189,000 as indicated in the budget received from the fire company. Vice Chairman Cummings said he'd like to see more contributions from the business community, such as Giant Foods who seems to contribute very little.
- Chief McClintock said they are looking for business owners to participate on their financial advisory board.

EMS – Advisory – no report submitted.

DAA- A report was submitted.

Emergency Management- Secretary Adams shared information she received from Anne Mowery of DCED pertaining to available funding and resources that may help with building renovation costs and other items. A discussion ensued pertaining to the purchase of the Recycle Center. The purchase price for the building is \$19,952.00 An email was received from DEP indicating the Twp. may purchase the building at a depreciated value if the Twp. wishes to do so the Twp. needs to get 3 appraisals to submit to DEP for review. The BOS said they would seek the cost of 1 appraisal for a commercial building. The stipulations for the purchase were said to be:

1. The Twp may use a depreciated market value of the building as the amount to be reimbursed by DEP or
2. The original grant cost
3. An independent realtor certified to complete appraisals
4. The Twp. will need 3 appraisals to submit to DEP

A motion was made by Chairman Stonesifer to get 1 appraisal with a \$500.00 maximum cost.

Second by Vice Chairman Cummings.

Discussion: There was no discussion.

The motion carried.

Route 15 Transportation – Engineer Brath reported there are no new developments.

Engineer's Report- Engineer Brath submitted a report.

Heavenwood Farms – listed on the BOS Agenda, discussion to follow later in the meeting.

Franklin Glen – the Twp. Solicitor and Engineer are working with the HOA to keep moving forward.

APPROVAL AND PAYMENT OF BILLS

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

Second by Chairman Stonesifer.

Discussion: There was no discussion.

The motion carried.

TREASURER'S CORRESPONDENCE

Treasurers Report –

A motion was made by Vice Chairman Cummings to accept the Treasurers Report as written.

Second by Chairman Stonesifer.

Discussion: There was no discussion.

The motion carried.

Treasurers Memo

Item #1 – BOS as Authorized User on Tax Collectors bank accounts. Treasurer Williams said this item pertains to a question that had previously been discussed and Supervisor Ryan had commented on it. Treasurer Williams said she would follow up with Supervisor Ryan pertaining to his comments on the matter.

BCO REPORT

A report was submitted.

ZONING OFFICER'S REPORT

A report was submitted. An email was received from the ZO indicating the cost to make new Conditional Use Hearing signs was \$35.00 per sign.

A motion was made by Chairman Stonesifer to have the ZO purchase 3 signs for Conditional Use Hearing at the cost of \$35.00 per sign.

Second by Vice Chairman Cummings.

Discussion: There was no discussion.

The motion carried.

SUBDIVISION AND LAND DEVELOPMENT

Lexington Fields – no one was present to report on the plan.

Sturbridge – nothing new to report.

Heavenwood Farms – A letter was received requesting reduction of security fees. A discussion ensued on the reducing the fee as indicated in the letter from \$27,469.35 to \$25,000.16. The only remaining issue is the SWM basin for holding storm water which the owners are working with the Conservation District and the Twp. Engineer to complete.

A motion was made by Chairman Stonesifer to grant the reduction for the amount of \$27,469.35 as requested in the letter received by the BOS and retain the amount of \$25,000.15 as Security Fees.

Second by Vice Chairman Cummings.

Discussion: There was no discussion.

The motion carried.

Camp Tuckahoe – The Twp. Engineer received a letter from the camp to increase their swimming pool facility, but, because the camp is commercial the project triggers Land Development planning unless they request the BOS to waive the Land Development planning. Engineer Brath said they would still need to apply for a Zoning Permit and complete SWM. Discussion ensued that a plan was needed of the proposed project which should be submitted to the Twp. PC for review and the proper steps be taken before any waivers are granted.

MUNICIPAL REPORTS

Solicitor– Solicitor Shaffer said he completed the decisions for the CUH of Weaver, Renard and Morrison and the BOS should review and sign the decisions so they could be mailed. Morrison and Renard should be mailed no later than November 22, 2019. Solicitor Shaffer said he would like to call an Executive Session at the conclusion of the meeting to discuss Franklin Glen legal matters.

Road Master- A report was submitted.

Parks & Rec- Minutes were submitted.

Planning Commission – Draft copies of the October 7, 2019 and November 4, 2019 PC Regular meeting were submitted.

NEW BUSINESS

Roadcrew position – A discussion ensued on the number of applications received for the position to be filled and where to advertise as there weren't many responses received.

A motion was made by Vice Chairman Cummings to extend the application process and advertise in the Dillsburg Banner and Sentinel newspapers until December BOS Regular meeting.

Second by Chairman Stonesifer.

Discussion: Discussion ensued to proceed with the interview process with the applications that have been received and any new applications from the new advertisements.

The motion carried.

2020 State Highway Budget –

A motion was made by Chairman Stonesifer to approve and advertise the 2020 State Highway Budget.

Second by Vice Chairman Cummings.

Discussion: There was no discussion.

The motion carried.

2020 Recreation Budget –

A motion was made by Chairman Stonesifer to approve and advertise the 2020 Recreation Budget.

Second by Vice Chairman Cummings.

Discussion: There was no discussion.

The motion carried.

2020 General Fund Budget –

A motion was made by Chairman Stonesifer to approve and advertise the 2020 General Fund Budget.

Second by Vice Chairman Cummings.

Discussion: There was no discussion.

The motion carried.

Back up BCO –

The BOS said to table this item until it's Re-org meeting in January 2020.

Advertise PC and ZHB positions due to resignation/term expiration –

A motion was made by Chairman Stonesifer to advertise the PC vacancy only.

Second by Supervisor Wenrich.

Discussion: Discussion ensued to ask David Buckwash if has an interest in being reappointed to the ZHB for another term.

The motion carried.

OLD BUSINESS

There was no old business at this time.

NEW BUSINESS

SWM Agreement – A discussion ensued on a section of the SWM agreement, page 2, item 3 - Entry onto Property for Inspection, is this a violation of the 4th amendment? Engineer Brath said it is part of the MS4 and EPA requirements because of problems with gaining access to a property for inspections.

CORRESPONDENCE

The BOS received correspondence from YCPC regarding cross walk posting/signs. The BOS said that at this time the Twp. has no cross walks to consider for posting or signs.

Mr. Rowley's comments/concerns were addressed early in the meeting pertaining to property setbacks.

PUBLIC COMMENT

Kathleen Gingrich asked if letters of consideration that are previously on file for Board appointments would be considered or must she submit a new letter. The BOS said letters on file would be reviewed and considered for appointment.

Nancy Rhorbaugh asked the BOS to consider contracting with the SPCA for stray animals. The BOS said they are in receipt of correspondence from the SPCA asking for consideration.

EXECUTIVE SESSION

The BOS went into Executive Session at 8:30 p.m. for the purpose of discussing Franklin Glen legal matters. The BOS returned from Executive Session at 8:44 p.m. No decisions were made.

ADJOURNMENT at 8:45 p.m.

A motion was made by Chairman Stonesifer to adjourn.

Second by Vice Chairman Cummings.

The motion carried.

Respectfully submitted,

Teresa M. Adams, Secretary