

**FRANKLIN TOWNSHIP YORK COUNTY PA  
BOARD OF SUPERVISORS (BOS)  
REGULAR MEETING MINUTES  
November 16, 2022**

**FINAL**

**Call to Order:**

The November 16, 2022, Franklin Township Board of Supervisors (BOS) Meeting was called to order at 7:02pm by Chairman Mark Wenrich. 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.

**Present:** Chairman Mark Wenrich, Vice Chair David Buckwash, Supervisor Duane Anthony, Supervisor Naomi Decker, Supervisor Kevin Cummings, Engineer Phillip Brath, Zoning Officer Wayne Smith, Treasurer/Asst. Secretary Pam Williams, Secretary Traci Kauffman, Solicitor Bret Shaffer

**Absent:** No one.

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

**Approval of Minutes –**

**A motion was made** by Vice Chair Dave Buckwash to approve the October 6, 2022 Fee Schedule Meeting Minutes.

**Second by:** Supervisor Duane Anthony.

**Discussion:** There was no discussion.

**Abstain:** Supervisor Kevin Cummings

**The motion carried.**

**A motion was made** by Vice Chair Dave Buckwash to approve the October 12, 2022 BOS Regular Meeting Minutes.

**Second by:** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**Abstain:** Supervisor Kevin Cummings

**The motion carried.**

**A motion was made** by Vice Chair Dave Buckwash to approve the September 9, 2022 Budget Meeting Minutes.

**Second by:** Chairman Mark Wenrich.

**Discussion:** There was no discussion.

**Abstain:** Supervisor Kevin Cummings

**The motion carried.**

**Public Comment (*written request pertaining to Agenda items only*) –**

Peggie Williams made a Right-to-Know request to look at documents from 1950 to 1989 on several housing developments that were created in the Township in that time period. Solicitor Bret Shaffer indicated that due to staff limitations she would need to sign a Confidentiality Agreement. Ms. Williams agreed.

**A motion was made** by Vice Chair Dave Buckwash to allow the Right-to-Know Officer, Traci Kauffman, to execute the Confidentiality Agreement.

**Second by:** Supervisor Duane Anthony.

**Discussion:** There was no discussion.

**The motion carried.**

Jevon Dolan of Atlantic Maintenance Group met with the Solicitor, Engineer, and Zoning Officer on whether the Settlement Agreement of 715/717 Range End Road follows the owner or the property. They would like to use the property for a landscaping business. The settlement agreement allows for certain uses on the property specific to Mr. Elicker. Mr. Elicker will be leasing the property back, and upon conclusion of the lease, change of ownership of the property would go from an indefinite non-conforming use to a conforming use. The landscaping business would be a conforming use. Discussion ensued. The Board would need to authorize the uses in the settlement to remain as Mr. Elicker becomes a tenant on the land for the duration of the lease agreement. Discussion ensued.

**A motion was made** by Vice Chair Dave Buckwash to allow the Land Use Appeal #31CD2019 Settlement Agreement continue with Mr. Elicker for the four-year period from the plan settlement date of February 6, 2023.

**Second by:** Supervisor Duane Anthony.

**Discussion:** There was no discussion.

**The motion carried.**

## **Organization Reports:**

### **Police –**

A written Monthly Activity Report and a Statistical Recap was submitted for September 2022. A verbal report was provided by Chief Lash. The Old Cabin Hollow Road Bridge was reported to have been hit and the bridge is now closed. Chief Lash updated on the opportunity to increase hours for the patrol calls.

**EMS – Penn State –** A written report for September and October 2022 was provided.

**BC0/Zoning Officer Report –** An October 2022 written report was provided by Land and Sea Services, LLC. An October written report was provided by ZO Wayne Smith. Discussion was held regarding how complaints of junked vehicles was previously handled. Discussion ensued. The written report was reviewed, and updates were provided.

**Fire –** A written report for October 2022 was provided by Chief Morales. There were thirty-eight calls for the month and three were in the Township and there were 372 calls for the year, the Township annual total now being ninety-one. A written 2023 Budget from the NYCF&R was provided. Discussion ensued. Chief Morales provided a verbal report and requested authorization to change the fire boxes as necessary.

**A motion was made** by Supervisor Duane Anthony to authorize Chairman Mark Wenrich to sign an agreement for Chief Morales to change the fire boxes as necessary.

**Second by** Vice Chair Dave Buckwash.

**Discussion:** There was no discussion.

**Motion carried.**

**Emergency Management –** Laurin Fleming provided a verbal report. A CERT Disaster Training drill was held on November 12, 2022 at Ponderosa Park. Debris management after a disaster was discussed.

**Building Addition/Renovation –** Lobar previously provided a proposal for the building and Mike Kistler was present to discuss the proposal and options available. Discussion ensued.

**Engineer's Report –** An October 2022 written report was submitted by Engineer Phil Brath.

**Route 15 –** Nothing to report.

**ByPass Road Bridge –** DEP has indicated that the current plans for the bridge as to how the abutments will be fixed will decrease the opening of the bridge. The bridge opening cannot decrease in any way and the current plan indicates a decrease. The permits will be submitted, and more information will be following.

**Ordinance Amendment –** Ordinance 427 Accessory Dwelling Units (formerly Granny Flats) was reviewed and discussed. This will be tabled until after the BOS members can review it more thoroughly. It was tabled until next month's BOS meeting.

### **Subdivision and Land Development –**

**Crossroads Warehouse Project –** Engineer Phil Brath sent Carroll Township a letter regarding transportation, trip distribution, and the traffic impact study. Discussion ensued.

### **Approval & Payment of Bills:**

**A Motion was made** by Chairman Mark Wenrich to approve and pay the bills.

**Second by** Vice Chair Dave Buckwash.

**Discussion:** No discussion.

**The motion carried.**

### **Treasurer's Report –**

**A motion was made by** Chairman Mark Wenrich to accept the Treasurer's Report.

**Second by** Vice Chair Dave Buckwash.

**Discussion:** There was no discussion

**The motion carried.**

### **Information Items –**

The Road Report is included in the Treasurer's Packet.

**Treasurer's Memorandum –**

The Township currently has several CD's, one is up for renewal in December and should we try to find a different institution for better rates. Discussion ensued.

The Parks & Recreation Fund has a negative balance of \$356.74. To pay the bills for the month of December, money will need to be transferred out of the General Fund to the Parks and Recreation Fund. Discussion ensued.

**A motion was made by** Chairman Mark Wenrich to transfer \$1,000.00 from the General Fund to the Parks and Recreation Fund for the month of December.

**Second by** Supervisor Duane Anthony.

**Discussion:** There was no discussion

**The motion carried.**

There is a Capitol Reserve Fund at ACNB and nothing has been done with it for several years. Discussion ensued.

**A motion was made by** Supervisor Kevin Cummings to move the money to a different fund with a higher interest rate.

**Second by** Chairman Mark Wenrich.

**Discussion:** There was no discussion

**The motion carried.**

The information items are listed in your written report.

The Northern York County Fire and Rescue actual budget numbers were provided. The year-to-date actuals for 2022 are still needed. A decision needs made on the 2023 budget and if the \$100,000.00 donation budgeted will stand or be changed because the fire company is requesting a different amount. The \$100,000.00 will stay in the budget.

The budget for 2023 needs approved/accepted and advertised. A meeting will need to be held to adopt the budget. Discussion ensued.

**A motion was made by** Chairman Mark Wenrich to approve the 2023 General Fund Budget.

**Second by** Supervisor Duane Anthony.

**Discussion:** A question was brought up about staff raises and the BOS decided to go into Executive Session.

**Motion was withdrawn.**

**Executive Session:** The BOS went into Executive Session on a Personnel Issue at 9:35pm. There were no decisions made. The Executive Session ended at 10:01 pm.

**A motion was made by** Chairman Mark Wenrich to approve the 2023 General Fund Budget.

**Second by** Supervisor Duane Anthony.

**Discussion:** There was no discussion.

**The motion carried.**

The 2023 General Fund Budget, Parks and Recreation Budget and the State Highway Budget will be advertised. A meeting to adopt the above will be held on December 28, 2022 at 5:30pm.

**Solicitor:**

The RTK Agreement with Peggie Williams was completed earlier in the meeting.

The 715/717 Range End Road discussion with the Atlantic Maintenance Group was completed earlier in the meeting.

The CDL Queries and purchasing will be discussed with Secretary Traci Kauffman before December 31, 2022.

The one ordinance amendment for the Marijuana Dispensaries/Processing Facilities, Electronic Signs, Kennels, and Vet Clinics needs clarification regarding the necessity of state and federal licenses for kennels being needed in our ordinance. Discussion ensued. If no state and federal license were attained, we would be required to report to the agency charged with executing those licenses.

We are waiting for a response to the Stough/Mason letter.

The Act 57 Resolution was provided and will need to be signed by the BOS.

**Executive Session –** There was no Executive Session at this time.

**New Business:**

The Township Christmas Luncheon will be held on December 9, 2022.

A request has been made to rent the gazebo at Ponderosa Park. Discussion ensued. A charge of \$40.00 will be added in the 2023 Fee Schedule for the rental of the gazebo.

**Old Business:**

The building improvements were discussed earlier in the meeting.

The Pension Change Resolution 2022-8.

**A motion was made by** Vice Chair Dave Buckwash for adoption of a resolution to freeze the current Defined Benefit Pension Plan effective 12/31/2022 and activate a Defined Contribution Plan (401a) in conjunction with the 457 Plan effective 01/01/2023. All current and future employees will be part of the Defined Contribution Plan and the 457 Plan.

**Second by** Supervisor Duane Anthony.

**Discussion:** Supervisor Kevin Cummings was not present for all prior meetings and will abstain from this vote. Any additional contributions to be made at the end of the year will require further discussion.

**Abstain:** Supervisor Kevin Cummings

**The motion carried.**

Clarification was needed of the engineering fee for the building improvement/land development. Will the charge be a percentage of the cost or hourly fee? Engineer Phil Brath bases the fee on a percentage according to how much the whole project will cost. Discussion ensued. Other projects that the engineer is directly involved with are billed upon the actual hours spent on the project.

There were office procedures that needed discussed.

The files are being cleaned out and the new file cabinets are being utilized.

There is a Resolution 1-12-12-95 which is a drug and alcohol policy, and it will be reviewed. Upon review it will need to be placed into the Employee Handbook.

The RAC-P Grant is working with supervisor Dave Buckwash. Supervisor Buckwash is asking permission to contact a lobbyist to help facilitate this grant moving forward.

**A motion was made by** Chairman Mark Wenrich to proceed with the RAC-P Grant.

**Second by** Supervisor Naomi Decker.

**Discussion:** There was no discussion.

**Abstain:** Vice Chair Dave Buckwash.

**The motion carried.**

The BOS revisited a request that was made earlier in the year to our Township and Franklinton Borough regarding changing the names of these roads: Glenview Drive, Glenview Circle and Glenview Circle Extended. Franklinton Borough did not make any changes. In reviewing the file, are there any possible implications of not complying with a request from the 911 GIS to change the street names. Such a small percentage of the road is Township owned, we will not be taking any action.

**Correspondence –**

There was no correspondence.

**ADD ON ITEMS –** There are no add on items.

**Public Comment –**

Kevin Cummings presented public comment regarding what was placed on the record on the BOS Regular Meeting Minutes on October 12, 2022 and the Workshop and 2022 Budget Meeting Minutes on October 25, 2022 by Supervisor Naomi Decker. Discussion ensued.

**Executive Session –** There was no Executive Session.

**Adjournment:**

**A motion was made by** Chairman Mark Wenrich at 10:44pm to adjourn.

**Second by** Vice Chair Dave Buckwash.

**Discussion:** There was no discussion.

**The motion carried.**

Respectfully submitted,

*Traci Kauffman*

Traci Kauffman, Secretary

Franklin Township