

**FRANKLIN TOWNSHIP YORK COUNTY PA
BOARD OF SUPERVISORS (BOS)
REGULAR MEETING MINUTES
September 14, 2022**

FINAL

Call to Order:

The September 14, 2022, Franklin Township Board of Supervisors (BOS) Meeting was called to order at 7:00pm 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.

Roll Call:

Present: Chairman Mark Wenrich, Vice Chairman David Buckwash, Supervisor Duane Anthony, Supervisor Naomi Decker, Engineer Phillip Brath, Zoning Officer Wayne Smith, Secretary Traci Kauffman, Solicitor Bret Shaffer

Absent: Supervisor David Christensen

Present Via Zoom: Treasurer/Asst. Secretary Pam Williams.

Pledge of Allegiance and Prayer – Pledge of Allegiance was led by Chairman Mark Wenrich and Prayer was led by Supervisor Naomi Decker.

Approval of Minutes –

A motion was made by Vice Chair Dave Buckwash to approve the July 13, 2022 CUH 2022-4 Meeting Minutes as written.

Second by: Supervisor Naomi Decker.

Discussion: There was no discussion.

The motion carried.

A motion was made by Vice Chair Dave Buckwash to approve the July 13, 2022 BOS Regular Meeting Minutes as written.

Second by: Chairman Mark Wenrich.

Discussion: There was no discussion.

The motion carried.

A motion was made by Supervisor Naomi Decker to approve the August 10, 2022 CUH 2022-5 Meeting Minutes as written.

Second by: Vice Chair Dave Buckwash.

Discussion: There was no discussion.

The motion carried.

A motion was made by Supervisor Naomi Decker to approve the August 11, 2022 Budget Meeting Minutes with the correction of having Supervisor Duane Anthony present.

Second by: Vice Chair Dave Buckwash.

Discussion: There was no discussion.

The motion carried.

Public Comment (*written request pertaining to Agenda items only*) – There was no public comment.

Organization Reports:

Police –

A written Monthly Activity Report was submitted for July 2022. A written Statistical Recap for July and Year-to-Date Recap for 2022 was provided. Chief David Lash provided a report. Chief Lash indicated the Mental Health Co-responder failed the background check and they will continue to look for someone to fill this position. The 2022 new police cars will start to be built in October and when they arrive they will all have license plate readers. Chief Lash indicated that this budget year would be a challenge. Discussion ensued.

EMS – Penn State – An August 2022 Emergency Medical Services written report was provided. Representative Scott Buchle was not present due to a family emergency and will be present at next month's meeting.

BC0/Zoning Officer Report – An August 2022 written report was provided by Land and Sea Services, LLC.

An August written report was provided by ZO Wayne Smith. Enforcement notices were sent out. In the future, enforcement notices will not be sent out unless they are double checked by the Township staff for verification.

Non-UCC Ordinance Permit – We have a non-ucc permit that is required for anything over 100 square feet of ground or vertical surface. Discussion ensued regarding whether it is 100 square feet or 200 square feet. The issue with the

non-ucc permit is that are we inspecting or just issuing the permit and not inspecting. Discussion ensued. This item will be discussed at the Fee Schedule meeting.

Fire – No report was provided.

Emergency Management – Laurin Fleming provided a verbal report. The CERT class finished over the weekend, and they recruited nine new members. On September 24, 2022 from 8am to 1 pm there will be a CERT Class for the Township supervisors and staff. A new CERT Disaster Training will be held tentatively November 12, 2022 at Ponderosa Park. They will have a display at Farmers Fair in October.

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

There is nothing before the Planning Commission at this time but there are plans that will be forthcoming.

Route 15 – Scotch Pine and Clear Springs Road should be open tomorrow (9/15/2022). This winter PennDot will be paving from Latimore South on Route 15 and then between Glenwood and Range End Road on the West side they will be widening the road.

SFTS/Inspection and Reporting Process – A process was presented to deal with the Small Flow Treatment Facilities, and it will be reviewed with Solicitor Bret Shaffer. With this process there will need to be fees set in the fee schedule. Discussion ensued.

Signal Service, Inc. – PERCS our other signal service provider went out of business, and the Township is responsible for any traffic lights/signals within the municipal limits. The Township must have a contract with a signal maintenance company and retain a Traffic Engineer as part of the PennDot permit to allow that signal to be installed. Discussion ensued.

A motion was made by Supervisor Duane Anthony to approve Signal Services, Inc. Contract to become our traffic signal service provider at a cost of \$150.00 per year.

Second by: Vice Chair Dave Buckwash.

Discussion: There was no discussion.

The motion carried.

Marijuana Dispensaries/Processing Facilities – The Planning Commission sent the draft ordinance for the Marijuana Dispensaries/Processing Facilities to the BOS for their review. Discussion ensued. More research needs done to make sure it does not conflict with any laws in the state of Pennsylvania.

Subdivision and Land Development –

Crossroads Warehouse Project – There is nothing new from a transportation perspective. The discussion with PennDot is to get an interchange in Carroll Township and not have them come out onto Glenwood Road. PennDot seems to be in agreement with it. There is no firm plan of what they will do, and the Township would have to say “no” to the use of Glenwood due to the health, safety, and welfare of the residents in the Township because there is a safety issue with the use of that road. Discussion ensued.

Lexington Fields – Mr. Phillip Garland presented a written copy of the Response Comments of the Highway Occupancy Permit Application No. 267564, Cycle No. 2. The BOS needs to restate that their position is to not close ByPass Road. Discussion ensued.

A Motion was made by Vice Chair Dave Buckwash to have Engineer Phil Brath write a letter to PennDot and restate that the position of the BOS has not changed on ByPass Road, it will be repaired, reopened, and it should stay open.

Second by Chairman Mark Wenrich.

Discussion: There was no discussion..

The motion carried.

Mr. Garland provided the Stormwater Management Plan to be reviewed for Lexington Fields.

Approval & Payment of Bills:

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

Second by Supervisor Duane Anthony.

Discussion: There was 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.

Treasurer's Memorandum –

Portable Toilet Service – The BOS needs to decide whether or not to switch portable toilet companies. Discussion ensued. The BOS decided to retain the current portable toilet service company.

McCreary – This "Open" file has had ongoing issues, and the office staff is asking for guidance on where to go from this point. Discussion ensued.

A motion was made by Vice Chair Dave Buckwash to authorize Zoning Officer Wayne Smith prosecutorial discretion to come to a conclusion on Mr. McCreary and the issues with his pole building.

Second by Supervisor Duane Anthony.

Discussion: There was no discussion.

Opposed: Supervisor Naomi Decker

The motion carried.

Recycling Grant – This is a recycling grant that does not need to be used for specific purposes or have restrictions. This grant is available based on your performance. As long as you are doing recycling with your trash contractor and file their annual Recycling Report to York County Solid Waste, you can apply for this grant.

A motion was made by Supervisor Duane Anthony to submit the application to apply for the Recycling Grant before December.

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.

Purchase of Leaf Collection Box – This will be used to blow the chipper items into a collection box.

A motion was made by Chairman Mark Wenrich to allow the road crew to purchase the leaf collection box at \$400.00.

Second by Vice Chair Dave Buckwash.

Discussion: There was no discussion.

The motion carried.

Hiring of Ron May – Hiring of Ron May on a part-time as-needed basis up to 20 hours a week for \$25.00 an hour.

A motion was made to by Vice Chair Dave Buckwash to hire Ron May on a part-time as-needed basis for \$25.00 per hour to start on Monday, September 19, 2022 on the Road Crew.

Second by Chairman Mark Wenrich.

Discussion: With Ron being a prior employee, does he need a drug screen? The drug screening tests are random, and the Township is not responsible for those.

The motion carried.

Solicitor –

EMS Agreement – Since Scott Buchle could not attend tonight's meeting, this will be revisited at next month's meeting.

Solar Farm Ordinance – The BOS will wait for comments from the York County Planning Commission regarding the Solar Farm Ordinance. The October 12, 2022 hearing date that was scheduled for a vote on the ordinance is cancelled. There will be a note placed on the door and the website regarding the cancellation. A special meeting for November 16, 2022 at 6:30p.m. will be readvertised and placed on the website.

A motion was made by Vice Chair Dave Buckwash to advertise intent to adopt the ordinance at the conclusion of a public hearing held at 6:30 on November 16, 2022 and a Special Regular Board of Supervisors Meeting to be held at 7:00 pm or the conclusion of the ordinance adoption hearing.

Second by Chairman Mark Wenrich.

Discussion: There was no discussion.

The motion carried.

Kennels/Vet Clinics – The comments and questions were reviewed by the Planning Commission and Solicitor Bret Shaffer and Engineer Phil Brath will review their responses. Review of this ordinance by the BOS will be tabled until the next meeting.

Electronic signs – Review of this ordinance will be tabled until the next meeting.

Letter/Mobile Home Parks Regarding Cats – This is being removed from the agenda going forward.

There will be several letters going out tomorrow about past due fees and issues, including the Mason SFTF.

The Conditional Use Hearing 2022-5 decision needs to be reviewed and signed by the BOS members.

The legislature passed Act 57 regarding property taxes and the BOS is required to pass a resolution between October 10 and January. PSATS provided a draft resolution that will work for our Township. The resolution has to do with new

residents moving into the Township and if they do not receive their tax invoice because of transfer issues within the first year of residency, they cannot be charged a penalty for not paying on time. This will be on the agenda for next month.

There is no refund for the stenographer's fee due for Conditional Use Hearing 2022-5 due to the fact that we charge for the stenographer fee after the hearing has already taken place.

Executive Session – There was no Executive Session at this time. It will be held at the end of the meeting.

New Business:

Fee Schedule Workshop Meeting will be held on October 6, 2022 at 7:00pm.

PSATS CDL "Probable Cause Training for CDL Supervisory Personnel" for Traci and Marie to attend on 9/27/2022 for \$49.00.

A motion was made by Chairman Mark Wenrich to allow Traci and Marie to attend PSATS CDL "Probable Cause Training for CDL Supervisory Personnel" for Traci and Marie to attend on 9/27/2022 for up to \$100.00.

Second by: Supervisor Duane Anthony

Discussion: There was no discussion.

The motion carried.

2022 Ballot for Election of Trustees – PSATS Executive Board recommends Shirl Barnhart for election to the Board of Trustees. The BOS needs to choose the one nominee for all three trusts or select and write in their own candidate.

A motion was made by Supervisor Duane Anthony to recommend Shirl Barnhart to be on the Board of Trustees for PSATS for each of the Trusts.

Second by: Vice Chair Dave Buckwash

Discussion: There was no discussion.

The motion carried.

Date for Halloween – The date for Halloween will be October 27, 2022 from 6 to 8 pm. It will be placed on the website and on the Township Office door.

Review of Conditional Use Application (CUH) – The CUH applications that come to the office need to be reviewed. The BOS will have Engineer Phil Brath review the application and make sure all items are included so that when the application is presented to the board to set a date for the hearing, all of the information is provided at that time.

Resignation of Supervisor Dave Christensen –

A motion was made by Chairman Mark Wenrich to accept the resignation of Supervisor Dave Christensen from the Board of Supervisors and the Planning Commission and thank him for his service.

Second by: Supervisor Naomi Decker.

Discussion: A letter will be sent to thank him for his service.

The motion carried.

The BOS now has 30 days to appoint someone and if it goes to the 30 days it goes to the Vacancy Board. The Vacancy Board then has 15 days. There is one person on the Vacancy Board and they are the tie breaker in case of a tie. Thirty days will be October 14. The next BOS meeting will be October 12 and the vacancy need to be filled.

Request for Appointment to BOS – Kevin Cummings provided a letter of interest to be appointed to the BOS. The position needs to be advertised and they will keep his letter of interest on file for next month's meeting.

A motion was made by Chairman Mark Wenrich to allow Secretary Traci Kauffman to advertise for the Board of Supervisors vacancy in the newspaper (*The Dillsburg Banner*) and on the website.

Second by: Supervisor Naomi Decker.

Discussion: The advertisement needs to say that the application needs to be received by a deadline date of October 3, 2022.

The motion carried.

Set Date for Next Budget Meeting – October 25, 2022 is the next scheduled Budget Meeting and the fourth Budget Meeting needs set for November. The next Budget Meeting will be November 3, 2022.

Sales of Assets/Motion for Bids – Roadmaster Andy Gibb should make a list of any items that can be sold at the end of this year. Any items under \$2,000.00 can be sold by any method the BOS chooses, if it is over \$2,000.00 they will have to follow the code. Township Resolution 2002-4 states the procedures for the selling of items to be sold limits the value to under \$1,000.00. Solicitor Bret Shaffer advised the state law allows up to \$2,000.00.

Old Business:

Building Improvement/Additions – The BOS received a pricing sheet from Lobar Associates. This project is estimated to cost \$2,142,520.00. Discussion ensued. The BOS decided to look at other avenues to expand the building.

Office Procedures –

Township Office Hours – There was a request to change the Township office hours for full-time staff from 8:00 am to 4:30 pm to 7:00 am to 3:30 pm. Discussion ensued.

A motion was made by Supervisor Duane Anthony to change the Township office hours from 8:00 am to 4:30 pm to 7:00 am to 3:30 pm.

Second by: Vice Chair Dave Buckwash.

Discussion: There was no discussion.

The motion carried.

Employee Handbook-Sick/Vacation Time – There was discussion regarding sick time in the employee handbook only being allowed to be used for actual sick time and having to use four hours of vacation if you have an appointment. Discussion ensued. There will be a resolution to allow sick time and vacation time to be used in one-hour increments.

A motion was made by Vice Chair Dave Buckwash to change the Employee Handbook on Page 23 which limits vacation time to be used in four-hour increments to be changed into hourly increments.

Second by: Chairman Mark Wenrich.

Discussion: Should sick time be allowed for any medical appointments? Discussion ensued.

This motion was amended, and no action was taken. (See below.)

An amended motion was made by Vice Chair Dave Buckwash to change the Employee Handbook on Page 23 which limits vacation time to be used in four-hour increments to be changed into hourly increments and add sick leave for any medical appointments to be changed into hourly increments which will be changed by a resolution.

Second by: Chairman Mark Wenrich

Discussion: There was no discussion.

The motion carried.

Correspondence –

SPCA York County – No action was taken on the proposal from the SPCA of York County.

Public Comment –

Engineer Phil Brath reported that the boy scouts and the Central PA Conservancy are working together to subdivide the property at the Boy Scout Camp. Discussion ensued.

Kevin Cummings spoke on behalf of his request to be appointed to the vacant BOS Position.

An Executive Session will be held, and the BOS may or may not take action.

Executive Session –The session started at 10:16 pm and ended at 10:45pm. There was no action taken but another item was remembered to add to the agenda.

Amendment to the Agenda:

An amendment was made to the agenda to purchase new file cabinets as urgent business for the health, welfare, and safety of the office employees.

A motion was made by Vice Chair Dave Buckwash to purchase two 4-drawer very deep file cabinets that are lockable. This is being added to the agenda as urgent business and an agenda amendment.

Second by Duane Anthony.

Discussion: There was no discussion.

The motion carried.

Adjournment:

A motion was made by Chairman Mark Wenrich at 10:48pm 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