

**Franklin Township, Adams County  
Board of Supervisors  
Regular Meeting  
October 3, 2019**

**SUPERVISORS PRESENT:** Supervisor Crushong, Supervisor Williams, and Supervisor Santay

**OTHERS PRESENT:** Bernie Yannetti, Solicitor, Dominic Picarelli, KPI Technology, Curtis MacBeth, Roadmaster, and Susan Plank, Secretary/Treasurer.

**CALL TO ORDER**

**PLEDGE OF ALLEGIENCE**

**PUBLIC COMMENT OF AGENDA ITEMS ONLY**

Mr. Darrin Flake asked what the procedure would be to file a Noise/Nuisance Complaint? Supervisor Santay informed Mr. Flake that the procedure would be:

1. Come into the office and file a complaint with the Secretary.
2. Have documentation of who the complaint is against, what the complaint is, and maybe recording or pictures of the violation. With Technology being what it is today this should be sufficient.
3. This information would be sent to the Zoning/Code Enforcement Officer, they would go out and discuss the matter with the offender and give them a warning for the first offense.
4. 2<sup>nd</sup> offenses would be taken to the Township and the Township would file with the Magisterial Court via a private criminal complaint at the District Justice office.

Supervisor Santay informed Mr. Flake that the burden of proof will be on the resident who files the complaint.

Mr. Phil Cole of 970 Mt. Carmel Road commented on the Noise Ordinance that is on the Agenda. Mr. Cole stated that the way the Ordinance reads 110-6-A reads "Notice required under this section must be given on a form prescribed and provided by the Township, and said required notice may be executed and served as required by the aggrieved party or by a Township official on complaint received from the aggrieved party in writing and signed." Mr. Cole asked if the burden of serving the notice falls on the resident. Solicitor Yannetti responded with "yes" the resident can if they wish or the Township will do it. Mr. Cole asked "What if the Township would say that they do not want to serve the complaint?" Solicitor Yannetti informed Mr. Cole that the Township would not say that and the Township would be more than willing to issue the notice. Mr. Cole informed the Board that it looks like the

Township is forcing the residents to issue the complaint on their own and this could make for a dangerous situation. Solicitor Yannetti informed Mr. Cole that this is not what the Ordinance is saying and that the Township can and will handle any and all complaints that come into the office.

Mr. Gary Phillips commented on the Noise Ordinance. Mr. Phillips wanted to bring to the Board's attention that there is a Court Order that the noise from the wedding barn must stop by 9 pm. Supervisor Santay asked Mr. Phillips to supply the Township with a copy of the order. Mr. Phillips also suggested that the principal use is no longer there, so therefore; the accessory use should not be granted. Supervisor Crushong informed Mr. Phillips to make a formal complaint about the accessory use and then the Township will look into the matter and make decision based on what they find.

Mr. German informed the Board that he would get a copy of the Court Order for the Wedding Barn to stop operation at 9 pm and bring to the office.

Bicky Redman suggested to the Board of Supervisors that they might consider putting something in the Ordinance to cover burn barrels and open burning that offends neighbors and can become a hazard that is unexpected.

Mr. Bloom, resident on Poplar Springs Road would like for fireworks to be addressed in the Noise/Nuisance Ordinance.

Mr. Chalmers of 5630 Chambersburg Road informed the Board that he has gotten rid of thirteen (13) vehicles and wanted to know what else needs to be done to be in compliance with the Ordinance. Supervisor Crushong informed Mr. Chalmers that the Township would have the Code Enforcement officer contact him and set up a meeting to discuss what else, if anything, needs to be done to clean up the area.

Resident Pat O'Shea wanted to know if the Agendas could be emailed to the residents on the email blast list. He informed the Board that this was done a few times but hasn't been done in a while. Supervisor Crushong informed everyone that the Agenda is on the Website but the Board would see to it that it is also sent out via email blast.

Resident Darrin Flake asked if the Noise/Nuisance Ordinance would be advertised again. Supervisors Crushong informed Mr. Flake if there were changes then it would be advertised again for comments.

Mr. Bloom of 491 Poplar Springs Road informed the Board that when his grass hedge was cut down it was cut 18" from the center line. He has posted his residence at 16" and wanted to know if the Township has a tape measure and someone that could read it. He also wanted to know when the Township was coming to his residence to clean up the mess that they left when the grass hedge was cut down. Supervisor Crushong informed Mr. Bloom that the road crew would come and look at the area and take care of whatever needed to be cleaned up.

## **APPROVAL OF MINUTES**

**MOTION by Supervisor Williams, seconded by Supervisor Santay to approve the September Board of Supervisors Meeting Minutes of September 5, 2019 and the Workshop Meeting Minutes of September 19, 2019. Motion carried, 3-0.**

## **APPROVAL OF BILL LIST #10**

**MOTION by Supervisor Santay, seconded by Supervisor Williams to approve Bill List #10 General Fund Checks 35886 - 35945 totaling \$162,837.93. Motion carried, 3-0.**

## **PRELIMINARY/FINAL PLAN**

Proscapes – 2<sup>nd</sup> driveway request letter for the eastern portion of the lot.

**MOTION by Supervisor Santay, seconded by Supervisor Williams to approve the request for a 2<sup>nd</sup> driveway for Proscapes located on Hilltown Road. Motion carried, 3-0.**

Kalathas 90-day extension request - Susan Plank, Secretary/Treasurer informed the Board that PennDot lost their HOP permit request and they are asking for another 90-day extension.

**MOTION by Supervisor Santay, seconded by Supervisor Williams to approve the 90-day extension request from Kalathas. Motion carried, 3-0.**

## **STORMWATER MANAGEMENT PLAN**

Jeff Richards – SWM and Driveway Update – This item was moved to Executive Session at the end of the meeting.

## **REPORTS**

Supervisor Crushong informed everyone that the reports are up front for review.

## **OLD BUSINESS**

481 Church Road – Septic – Dominic Picarelli informed the Board that a citation was mailed on September 9, 2019 and that they have not gotten a date for the Hearing. Supervisor Crushong informed Susan Plank, Secretary/Treasurer to call Beauchaut's office to see when the hearing was going to be.

Concrete Proposals for equipment building – Susan Plank, Secretary/Treasurer informed the Board that she has received two (2) bids as follows:

John Miller - \$16,915.66 – Cannot do the job until spring of 2020

Kyle Miller - \$16,600.00 – Can complete the job by the end of October 2019.

Gary Rebert – several phone calls and letter sent and did not receive updated bid.

Chris Martin – came in on a Friday that the office was closed and never heard back from him.

**MOTION by Supervisor Williams, seconded by Supervisor Santay to award the concrete bid for the Equipment Building to Kyle Miller Concrete in the amount of \$16,600.00. Motion carried, 3-0**

Noise-Nuisance Ordinance – All comments were taken at the beginning of the meeting.

### **NEW BUSINESS**

Set Trick or Treat Date and Time – Thursday, October 31, 2019, 6:00 pm to 8:00 pm.

**MOTION by Supervisor Santay, seconded by Supervisor Williams to set Trick or Treat date for Thursday October 31, 2019, 6:00 pm to 8:00 pm. Motion carried, 3-0.**

2020 Budget – Susan Plank, Secretary/Treasurer informed there has been no changes to the Budget but did remind the Board that they have to set wages for Township employees and that this needed to be done before the November Board of Supervisor's Meeting.

### **GUESTS**

Supervisor Crushong asked if there were any other comments from guest. There was none. Supervisor Crushong informed everyone that the Board was going to go into executive session and that the meeting would be adjourned when they returned. Board went into Executive Session at 8:05 pm and return at 8:10 pm.

There being no further business to conduct, **MOTION by Supervisor Williams, seconded by Supervisor Santay to adjourn the meeting at 8:10 pm.**

Respectfully submitted,

Susan J. Plank  
Secretary/Treasurer

Chairman \_\_\_\_\_

Supervisor \_\_\_\_\_

Supervisor \_\_\_\_\_