

**FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
MAY 17, 2006**

Chairman Whipple called the meeting to order at 6:37 p.m. Present were Vice Chairman Teddy Price and Supervisors Juanita Bennett, Norman Hughes and Roger Wilson. Also present were Township Engineers Surender Kohli, Sandi Morgan, Township Mgr. Stephen Ross, Township Solicitor Vince Pompo, Planning Commission (PC) Chairman Eric Brindle, Township Treasurer Joan McVaugh and Township Hydrologist Walt Leis. There were approximately 12 attendees present.

**Public Comment:**

Ms. Nancy Chromey submitted a written summary of her comments regarding Township issues which have been discussed at previous meetings. She also offered several comments and suggestions regarding the items on tonight's agenda. She expressed concern regarding the length of time it has taken the Board to submit the minutes of the 2/15/06 and 3/15/06 meetings for approval. She asked that the general principals followed by the Board and the Solicitor in negotiating settlements of the pending matters of litigation be made available to the public. She repeatedly asked that more detail be provided on agenda items so that members of the public can better formulate comments and/or questions.

Mr. Jeff Bennett referred to a recent article in the local paper concerning the DCNR grant awards which identified the property that Franklin Township is interested in acquiring. He was told previously that this type of information was confidential. He also asked if the \$240,000 in grant money awarded to the Township is property specific and how the market value of the property is decided. Vice Chair Price advised that the confidential information regarding the property was taken from the Township's application. She said that the Open Space Committee expected the County to keep the information private and explained that this has been a learning process for them and that in the future such specifics will be withheld from the application. Solicitor Pompo said that the awards are property specific however Vice Chair Price stated that it is her understanding that if there is an amount remaining after purchase it may be used to improve the property. As for the market value, Ms. Price advised that the application process requires a 2<sup>nd</sup> appraisal which has been requested.

Ms. Jane Brown requested that the reports that are accepted at tonight's meeting be put on the web site. Mgr. Ross will follow up.

Public Comment ended at 7:06 p.m.

**Policy for Public Participation:**

**APPROVED**

Chairman Whipple moved that Franklin Township adopt a public comment policy whereby public comment during meetings is limited to a period at the beginning of each meeting and a period at the end of each meeting, as indicated on the meeting agenda. The public comment period at the beginning of the meeting is to be limited to items that are on the agenda for that meeting. The public comment period at the end of the meeting is for any Township related topic. This policy applies to the Board's regular and special meetings, as well as workshop meetings. Exceptions to this policy are by agreement of a majority of the Board on a specific agenda item by specific agenda item basis. For public hearings, public comment will be part of the hearing and not part of this policy. Vice Chair Price seconded the motion.

Board discussion regarding Chairman Whipple's motion included agreement from all members of the Board that there is a need to decrease the length of the meetings and a need to limit public comment in some manner.

Supervisors Bennett and Wilson supported allowing public comment on agenda items as they occur on the agenda and prior to a vote. Supervisor Bennett suggested that a limit of 3 minutes be placed on each speaker and Supervisor Wilson suggested limiting the length of the meeting to a maximum of 4 hours and scheduling a follow-up meeting, if necessary. Supervisor Hughes suggested passing the motion as stated and providing an expanded agenda so that members of the public are aware in advance of the actions the Board is planning to take on each agenda item.

During the public discussion of the motion, comments and questions were received from Ms. Jane Brown, Mr. Jeff Bennett, Ms. Nancy Chromey and Mr. Ralph Olivier. Several of the questions related to an explanation of the different types of Board meetings. Mr. Olivier asked the Board to consider allowing public comment during and after a developer's presentation of a plan since the developers tend to leave the meeting immediately after their presentation. Mr. Bennett stated that the Chairman should control the length of discussions.

Ms. Brown recalled a statement by Supervisor Hughes at a previous meeting in which he said the Board would be willing to work with the taxpayers on their concerns regarding the Comprehensive Plan. She questioned where and how this type of dialog can occur if the new policy applies to all the Board meetings. In support of her position, Ms. Brown stated that all of the Board's business is also the taxpayers business.

Supervisor Bennett suggested that the documents provided to the Board be made available to the public, sans any confidential information. The suggestion was approved by the Solicitor and a book will be made available at the office for review by interested residents from the Friday before a Wednesday meeting. Supervisor Wilson reminded the residents that they have the opportunity to come to the Township office anytime and ask to review a particular development file, ordinance or other file that is not confidential.

The Chairman called for the vote on his motion to approve the Policy for Public Participation. The motion passed by a 3-2 vote with Supervisors Bennett and Wilson voting nay.

**Approval of Minutes – February 15, 2006:**

Vice Chair Price moved to approve the minutes of the February 15, 2006 BOS meeting. Chairman Whipple seconded the motion.

After a very thorough review of the minutes, the following corrections were agreed to by a majority of the Board:

Pg. 1, 1<sup>st</sup> para: Add the sentence "A number of Township consultants and officials were also present."

Pg. 3, 1<sup>st</sup> para. 1<sup>st</sup> sentence begins with "A resident Nancy Chromey". 3<sup>rd</sup> para., after the word "floor" add "resident Jeff Bennett". 6<sup>th</sup> para., 2<sup>nd</sup> line, after the word "members" add "Teddy Price and Vaughn Charlton". Last para. 3<sup>rd</sup> line, after the word "which" change "is" to "are".

Pg. 7, 4<sup>th</sup> para. at the end of the last sentence add "including the CCPC letter of February 8, 2006".

Pg. 9, 2<sup>nd</sup> para. should begin with the words "A number" – delete "The majority". And in the 3<sup>rd</sup> line, after the word "land" add "who were a majority at the meeting". In the penultimate para. change Ms. Jane Sharkey to "Ms. Jane Brown".

Pg. 10, 1<sup>st</sup> para., last sentence change "Reckor" to Rector". 2<sup>nd</sup> para., add as a 2<sup>nd</sup> sentence: "Other members of the public who made comments were Ethelbert Ott, Dave Woolens, Jay Brown, Jane Brown and Debbie Hinderer."

Pg. 11, 2<sup>nd</sup> para., change Jane Sharkey to Jane "Brown". 4<sup>th</sup> para., delete the last sentence. 5<sup>th</sup> para., change the last sentence to read: "Teddy Price agreed with Mr. Nowland's comment."

Pg. 12, 2<sup>nd</sup> para., place a period after Comprehensive Plan and delete the rest of that sentence.

Pg. 13, 2<sup>nd</sup> para., 2<sup>nd</sup> sentence, change Supervisor "Wilson" to "Hughes".

Pg. 15, 1<sup>st</sup> sentence under Comprehensive Plan, delete "members of the public" and replace with "Jeff Bennett".

Pg. 16, 2<sup>nd</sup> para., 4<sup>th</sup> line should read – "Just want to say to. 3<sup>rd</sup> para., 1<sup>st</sup> line, change Supervisor Bennett to "Hughes" and Supervisor Hughes to "Bennett"., and the last sentence should read "This amendment was seconded by Supervisor Hughes.

During discussion of the motion, Supervisor Bennett expressed concern that several life long residents of the Township were not mentioned in the Minutes even though they spoke at the meeting, while comments of 12 year resident Nan Palmer were included. Solicitor Vince Pompo at this point said "I believe there is a legal requirement that the minutes reflect the names of individuals who make public comment." Mrs. Price added a sentence to this change with "All of the names suggested to be added were voted to be included."

Vice Chair Price moved to amend her motion to include the changes to the minutes of the February 15, 2006 meeting that have been discussed and agreed upon by the Board and recorded by Secretary Steve Ross. Chairman Whipple seconded the amendment. The vote was 3-2 in favor of the amended motion with Supervisors Bennett and Wilson voting nay. The motion carried.

Supervisor Bennett wanted the record to show that she voted nay because the minutes didn't fully reflect the resident's input.

**Approval of Minutes - March 15, 2006:**

Vice Chair Price moved to approve the March 15, 2006 Minutes. Chairman Whipple seconded the motion.

After a review of the minutes the following corrections were approved by the Board:

Pg. 7, 4<sup>th</sup> para., Supervisor Bennett asked that the following sentence be added: "Supervisor Bennett stated several times that the identified parcel number was wrong and she could not vote for an incorrect resolution."

Pg. 2, 3<sup>rd</sup> para., last sentence delete the words "public hearing" and insert "public meeting".

Pg. 7 - Proposed Ordinances - delete the word "and" in the title of the ordinance.

Pg. 8, 4<sup>th</sup> para., last sentence change "acre" to "acres" and delete "zoning".

Vice Chair Price moved to amend her motion to include the changes to the minutes of the March 15, 2006 meeting, that have been discussed and agreed upon by the Board and recorded by Secretary Steve Ross. Chairman Whipple seconded the amendment. The motion passed unanimously.

**Approval of Minutes - April 19, 2006:**

Vice Chairman Price moved to adopt the minutes of April 19, 2006 incorporating the corrections suggested by Chairman Whipple and discussed and agreed to by the Board. Chairman Whipple seconded the motion.

Chairman Whipple made the following corrections:

Pg. 1, 2<sup>nd</sup> para. under Approval of Minutes, 5<sup>th</sup> line, after the word "taken" add "that is not reflected".

Pg. 2, last para., 1<sup>st</sup> sentence, change "septic systems" to "storm water systems".

Pg. 6, 5<sup>th</sup> para., 2<sup>nd</sup> line, change "site" to "cited".

Supervisor Bennett had the following corrections:

Pg. 3, 1<sup>st</sup> para., 1<sup>st</sup> line, delete the words "the Board" and insert Juanita Bennett, change "individual septic" to "incoming drip irrigation" systems. Place a period after "systems" and start a new sentence as follows: "There was also an inquiry"

Pg. 3, 5<sup>th</sup> para., under Signs, add the following sentence: "Supervisor Bennett inquired about the legal responsibility if someone is injured by a sign. Solicitor Donahue confirmed that the homeowner is responsible."

Pg. 6, 6<sup>th</sup> para., 1<sup>st</sup> line – check the spelling of Mr. Patone's name and remove the question mark after Ms. Chromey. In the last sentence, after "Township" delete the word "that" and insert "would revisit".

Pg. 7, last para., delete the words "may have" and after "influenced" add "Supervisor Bennett's".

Supervisor Wilson stated that the Board has not received the April 12, 2006 Workshop Minutes. He had the following corrections to the 4/19/06 minutes:

Pg. 1, 5<sup>th</sup> para., which states that copies of the Municipal Secretaries' manual have been provided to the Board should state that "copies of the relevant pages from the manual"....have been provided to the Board.

Vice Chair Price moved to amend her motion to include the changes to the minutes of the April 19, 2006 meeting that have been discussed and agreed upon by the Board and recorded by Secretary Steve Ross. Chairman Whipple seconded the amendment. The motion passed unanimously. The motion passed unanimously.

### **Reports:**

Treasurer's Report - April 30, 2006: Supervisor Wilson had questions which were answered by Township Mgr. Ross prior to the meeting. Supervisor Bennett moved to accept the Treasurer's Report of April 30, 2006. Vice Chair Price seconded the motion. The motion passed unanimously.

The Board thanked Treasurer Joan McVaugh for her excellent work.

Manager's Report: Mgr. Ross summarized his report of May 10, 2006 and provided the following update: Under Administration, #2, Codification – the proposal has been

**APPROVED**

received and has been forwarded to the Solicitor for review. It will be on the BOS Agenda in June for acceptance. After discussion, the following motion was passed:

Vice Chair Price moved to authorize the Chairman and the Secretary to execute the agreement on behalf of Franklin Township Board of Supervisors with Keystates Publication to do the job of codification. Supervisor Norman Hughes seconded the motion. The motion passed unanimously.

Open Space Report submitted by Phil Geoghegan: Chairman Whipple stated that Mr. Geoghegan has asked for the Board's guidance in appointing a Project Manager to manage the process involved with the Township's efforts to purchase open space and a Negotiator who will coordinate the actual negotiation of the purchase of the property and all related aspects. Mgr. Ross has experience in both these areas and has volunteered to manage the acquisition effort. Solicitor Pompo supports Mr. Ross as Project Mgr. and believes the negotiator needs to be someone who is skilled in negotiating who can take direction from the Board. Solicitor Pompo has extensive experience in this area as does Mr. Ross. Solicitor Pompo believes the Negotiator responsibilities can be handled by the current Township consultants and staff. Vice Chair Price stated that she would prefer having Solicitor Pompo handle this for the Township. Chairman Whipple agreed.

Supervisor Wilson moved that Steve Ross be approved as the Project Manager on the open space acquisition of the Howard property and that Vince Pompo be approved as the Negotiator in that endeavor. Chairman Whipple seconded the motion. The motion passed unanimously.

Chairman Whipple clarified that this is not approval to proceed with the actual purchase. This is a vote to initiate the contact and begin negotiations with the property owner. If the negotiations are successful, the matter will be brought before the Board for a decision whether or not to proceed.

Solicitor's Report: Solicitor Pompo referred to a meeting which occurred yesterday, May 16, 2006, with representatives of the Miller Tract at which there were substantive discussions which he will discuss during the Executive Session following this meeting.

Also, the Solicitor stated that he has been contacted by an attorney representing Dolores Morris concerning her property and an issue concerning the restrictions that were discussed before the Planning Commission recently. This will also be discussed in Executive Session.

The Solicitor updated the Board on the following ordinances: An amendment to the Subdivision and Land Development Ordinance was requested last year regarding beefing up some of the penalties relative to soil and erosion control violations. That language has been forwarded to the Township Mgr. Also a request was made to amend the Open Space Conservation Conventional Development Option in order to permit a second dwelling on a tract so long as it has at least 20 acres. This is to

create additional opportunities for people who want to do large lot subdivision. That is being drafted at the request of the Township Mgr.

He has also submitted to the Township a proposed ordinance to amend the Earned Income Tax Ordinance that would address the Maryland situation. That's been submitted and can be reviewed by the Board at the next meeting regarding advertising it. This ended the Solicitor's report.

The Chairman called for discussion. Although not directly related to the Solicitor's report, Supervisor Wilson asked for clarification from the Solicitor regarding whether information on the sewer/water plans for the Ford and Avignon properties are protected from the public because of litigation, or not. He has been lobbying for more disclosure to the residents and needs to know whether the Avignon and Ford properties are considered part of the ongoing negotiations which are protected.

Solicitor Pompo stated that as part of the original land development application for the Ford Farm there is a proposed sewage system that is not part of the litigation. The Mackie property has on-lot systems that are not in litigation. However, as part of the litigation there are issues concerning sewage and how sewage is going to be handled in the Township and some of those elements involve the Ford property.

Solicitor Pompo said that what is shown on the Ford Plan as far as what is proposed for sewage disposal is not involved in litigation and is not a matter that should be discussed in Executive Session. However there is an element in the litigation that is being discussed that involves sewage issues and it does involve the Ford property. Solicitor Pompo doesn't believe that issue should be discussed at a public meeting and stated that he did not want to go into the details of why that is so. His advice to the Board is that the matter should only be discussed in executive session.

Supervisor Bennett, on behalf of resident Nancy Chromey, asked the Solicitor to make public the principles used in settlement negotiations. Solicitor Pompo confirmed that the direction comes from the Board to the Solicitor as to how to handle the issues under litigation. He stated that he doesn't know exactly what Vince Donahue has said in the past but it would not be his advice for the Board to publicly set guidelines in order to then develop specifics in executive sessions that would then be used in negotiations. This needs to be done from a strategic perspective in the executive session arena as opposed to the public arena. He assured everyone that from his interactions with the Board that he believes all of the direction that the Solicitors receive is given in the best interest of the Township.

Supervisor Bennett asked if Nancy Chromey could speak on her own behalf. Chairman Whipple stated that the Solicitor has already indicated that he has said all that he's comfortable saying in this forum. Ms. Chromey indicated that her questions have not been answered.

Supervisor Hughes stated that for members of the public to assume that members of the Board do not know anything about negotiations is wrong. He went on to say that he spent 25 years preparing and administering contracts for Hercules and is not

influenced by the developer's money. He also believes that the Township must spend money to be able to proceed in the Township's best interest.

Supervisor Wilson expressed to Nancy Chromey that there appears to be little support from the Board for a further discussion of the establishing of principles for negotiations and he is therefore dropping his efforts in that regard.

Chairman Whipple reiterated the Solicitor's advice and stated that he accepts his professional opinion.

Zoning Officer/Bldg. Inspector Report: Township Mgr. Ross summarized the Zoning Officer's report dated May 8, 2006.

**Old Business:** There was no Old Business.

**Planning and Zoning:**

Planning Commission Report – May 4, 2006 meeting: Mr. Eric Brindle, PC Chairman gave the report of the May 4, 2006 PC meeting.

Extension Letters: Chairman Whipple read the following requests for extensions:

Banffshire	June 21, 2006
Crossan Creek	June 21, 2006
Miller	July 31, 2006
Ford Farm	June 14, 2006
Mackie/Avignon	June 14, 2006

Supervisor Bennett so moved. Vice Chair Price seconded.

Supervisor Wilson asked why Mackie and Ford Farm were on the agenda for final approval and came off at the last minute. Mgr. Ross explained that in the case of the Ford Farm the applicant and their attorney were troubled by certain conditions that the Township recommended for consideration. They asked to be on the agenda for the June 14<sup>th</sup> Workshop meeting. Regarding Mackie there are issues that would require them to revise their plan and resubmit for further review by the Township consultants and they requested the extension.

Supervisor Bennett asked for clarification regarding the fact that the agenda gives June 14 as the extension date for the Ford Farm but the letter says June 30<sup>th</sup>. The June 14<sup>th</sup> date was confirmed as correct.

The motion passed unanimously.

Escrow Releases: Mgr. Ross presented the following escrow release requests:

Happy Harry's Release #5: The recommended amount of the release is \$118,325.

**APPROVED**

Chairman Whipple so moved for \$118,325. Supervisor Hughes seconded the motion. The motion carried unanimously.

High Pointe Meadows Release #2: The recommended amount of the release is \$28,705.28.

Chairman Whipple so moved for \$28,705.28 for High Point Meadows. Supervisor Bennett seconded the motion. The motion carried unanimously.

White Clay Knoll Release #8: The recommended amount of the release is \$65,736.96.

Chairman Whipple so moved for \$65,736.96 for White Clay Knoll. Supervisor Hughes seconded the motion. The motion carried unanimously.

Vice Chair Price left the room at this point and Chairman Whipple advanced on the agenda to Item VII.e.1 - Banffshire in order for VC Price to return.

Planning:

Banffshire – Planning Module 4B: Township Mgr. Ross referenced his memo of May 12, 2006 in which he reviewed information received primarily from Stan Corbett of URS recommending that the Board consider the sewage facilities planning module at this meeting.

Stan Corbett said that some minor tweaks to the land development plan were reviewed by the Chester County Health Dept. They had one very minor issue with well locations which doesn't affect the DEP submission of the planning module and will be rectified before final plan approval. He notes that the time within which the Township needs to take action on the planning module may be determined to have expired. Therefore it would be prudent for the Board to take action on it at this time. He realizes there may be some changes in the plan down the road but it appears they have an acceptable plan.

Questions were asked by Supervisors Bennett and Wilson regarding Items 1 and 3 in Mgr. Ross's memo. Both have been satisfactorily taken care of according to Stan Corbett.

Supervisor Wilson, referencing the statement in #1 which says the proposed development site is marginal, asked if these systems fail will the Township be complicit in the possible cost of rectifying the problem. Stan said that by adoption of the on-lot management ordinance the Township accepts the responsibilities that accompany it. Supervisor Wilson repeated his understanding that if you recognize this and you don't have a specific plan for long-term management of on-lot disposal then you might be complicit.

Solicitor Pompo said that eventually the permits that are issued for these lots will comply with State regulation. Whether someone characterizes this site as marginal

or not the sewage systems that are permitted, not by the Township but by a different agency, will comply with State law. There isn't really any issue that the Township has by approving this planning module.

Mr. Corbett stated that there is certain criteria in the planning module that DEP has determined justifies a conditional approval for on-lot sewage. That doesn't necessarily mean that we don't have good sewage system sites for primary and backup areas which is the case in Banffshire. CCHD is following DEP's guidelines. It's another check mark in the planning module.

Chairman Whipple moved to adopt a resolution to approve the sewage planning module for the Banffshire 12-lot plan. Supervisor Hughes seconded the motion. The motion carried unanimously.

Plans:

Chris Lang – Preliminary Plan: Mr. Lang requested preliminary plan approval for his 6-lot subdivision on Forest Gump Rd. The preliminary plan was filed by the applicant on January 5, 2004. In 2005 the plan resurfaced for consideration because it now has access to a public roadway.

Mr. Walt Leis, the Township's Hydrologist explained that in compliance with the Township Water Ordinance 2002-7, the owner/developer of the subdivision was asked to prove three things with respect to water supply. 1) That there is enough water on the site to serve the subdivision; 2) That the water provided is of adequate quality; 3) That you don't interfere with any of your neighbors' water. A pump test was conducted and because it is a small subdivision, the length of the pump test was reduced from 72 hours to 8 hours. The well was pumped continuously for 8 hours at 30 gallons/minute. The report shows that two of the neighbors' wells were significantly affected. The consultant was asked to do an analysis based on the needs of a normal house well which is approximately 5-10 gallons/minute and there were no effects on the neighboring wells. Therefore Mr. Leis approved the water plan but recommends a condition that the well be outfitted with a 1 to 1 ½ horsepower pump that can produce no more than 5-10 gallons and that it be made part of the Use and Occupancy Permit.

Various what-if scenarios were presented by Supervisors Hughes and Wilson such as what the consequences would be if all six homes watered their lawns at the same time and what the pump capacity of a hose at full pressure is. Mr. Leis advised that from a 1 ½ horsepower pump the max would be 12 gallons/minute and as the water pressure goes down the gallons/minute goes down.

Solicitor Pompo suggested that if this is to apply to not only the builder of the first house but to all successors that a Note be put on the plan that contains the requirement that the wells be outfitted with pump rates no greater than 10 gpm and that no pump greater than the 10 gpm be installed on any well in the development. He also recommends that there be a separate declaration of restrictions recorded along with the final plan that states the same restriction and

that it be in a form acceptable to the Township Solicitor. The declaration shows up in title reports when people purchase properties. The Notes on the plan are not normally available to the purchaser.

Supervisor Wilson suggested that the condition also include the horsepower limit of the pump as well.

Mr. Lang does not feel the limitation is necessary and that the test that was done is not consistent with residential usage.

Members of the Board indicated that this is the recommendation of their consultant and they are not going to second guess him. They also made the point that this is the policy which is being applied throughout the Township and Mr. Lang has not been singled out. In fact Mr. Lang received a break by limiting the test to 8 hours rather than 72 hours.

The next condition discussed concerned sidewalks. Mr. Olivier advised that initially the PC recommended sidewalks on both Parsons and Forest Gump Roads. After direction from the Board, they are recommending sidewalks on Forest Gump Road only.

Chairman Whipple moved that the Board grant conditional preliminary approval to the Lang Subdivision Plan last revised January 24, 2006 with the following conditions: 1) That there be a sidewalk on the Forest Gump Rd. side of the property; 2) That at the time of Use and Occupancy the wells are outfitted to pump at rates no greater than 10 gpm and that the developer or new home owner be advised of this and that there be a note on the plan that no pump greater than 10 gpm be installed and that there be a separate declaration of restrictions acceptable to the solicitor memorializing the restriction on the gallons per minute pump that can be installed. 3) To comply with the conditions of the Chester County Health Dept. including payment of \$200 and correcting technical deficiencies on the plan; 4) That the applicant shall take the appropriate measures to protect the existing trees and be certain that no construction vehicles will be within the drip lines of mature trees as referenced in the CCPC recommendation. For the final plan there will be other requirements noted such as conformance with payment of traffic impact and open space fees; submission of any documents such as highway occupancy or home owners association or covenant restrictions which must be reviewed by the solicitor. The applicant shall obtain engineering quotes for all public improvements and submit this information for review by the Township engineer along with a Township developer hearing. Vice Chair Price seconded the motion.

The motion passed unanimously.

**New Business:**

Road Maintenance Bids: Mgr. Ross advised that two bidders provided quotes including Yardworks and Clanton. Mr. Ross recommends awarding the bid to Yardworks for 2006/2007.

Chairman Whipple moved that the Board award to Yardworks the Township road maintenance services contract through the period ending December 31, 2007. Supervisor Hughes seconded the motion.

Supervisor Roger Wilson left the meeting at 10:49 p.m.

The motion passed unanimously.

Sewer/Water Evaluation: Reference was made to Mgr. Ross's memo of May 2, 2006 which was prepared at the request of Supervisor Wilson. Since he left the meeting the discussion was deferred.

**Route 896 Corridor Study:** No Report.

**Public Comment – at 10:51 p.m.:**

Jane Brown asked the Solicitor to clarify his comment regarding capturing the names of attendees when they address the Board. Solicitor Pompo read from the Sunshine Act "The minutes shall include the names of all citizens who appear officially and the subject of their testimony.

There was discussion regarding the word "officially" which if taken literally would exclude much of the public comment made at this and other meetings. Solicitor Pompo prefers being conservative and recommends that when there is public comment the minutes should record the name of that person giving public comment and the subject.

Ms. Brown had questions concerning the publication of the Township newsletter and stated that she is not in favor of paying Carla Lucas (whatever amount) and expected an article in the newsletter asking for volunteers to do the newsletter. She also took issue with the paper it was printed on and suggested a natural looking recycled paper.

Mr. Olivier, following up on Ms. Brown's comments, stated: 1) that he appears before a large number of boards and most boards require that an individual identify him/herself and state his residence; 2) as far as volunteers for the newsletter, the Township has repeatedly asked for volunteers and no one has volunteered; 3) Mr. Olivier thanked the Board for requesting sidewalks on the Lang property. He stated that the reason for sidewalks is to provide a safe way for the children to travel from house-to-house.

Ms. Nancy Chromey of 20 Bullock Rd. in Franklin Township had questions regarding the Treasurer's Report, one of which is as follows: Is the income going to cover planned expenditures for 2006? Mgr. Ross stated that he expects a small balance by the end of the year.

Chairman Whipple gave brief explanations of the accounting principles used which are required for municipal accounting. Ms. Chromey asked that going forward that the report indicates whether income projections are meeting planned expenditures by the end of the year. Chairman Whipple said that the Board would not have approved the budget at the beginning of the year if they didn't believe that they would be able to meet expenditures.

Ms. Chromey asked if the Board will address at some point the plan for the existing buildings on the Ford property. The Chairman indicated that if the property had been discussed at tonight's meeting it would probably have been part of the discussion and it will be addressed at some point. She also asked when the revised minutes will be available to the public. Mr. Ross indicated that it would be soon and that they would be posted on the website.

Ms. Tina Chromey, 20 Bullock Rd., Franklin Township. She asked for an update on the application for the gravel road program. Mgr. Ross advised that application has been made but confirmation has not been received. Tina also had a question regarding the 2006 road program. She asked about a particular road that was widened when no one wanted it to be widened and the money could have been used elsewhere. Chairman Whipple explained that it relates to municipal fund accounting and impact fees. The impact fee program is made up of money that comes from the developers and it has to go toward roads that were identified in the impact fee study. She had a safety concern regarding a particular road and was told to provide the specifics to the Township Mgr.

The Chairman announced an Executive Session immediately following this meeting.

**Adjourn:** No time was given.

Respectfully submitted,

Stephen J. Ross  
Township Mgr./ Sect.