

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS MINUTES
SEPTEMBER 20, 2006**

Call to Order:

Chairman Richard Whipple called the meeting to order at 6:39 p.m. Present were Vice Chairman Teddy Price and Supervisors Roger Wilson and Juanita Bennett. Also present were Solicitor Vincent Donohue, Planning Commission Chairman Eric Brindle, Open Space Committee Chairman Phil Geoghegan, Township Manager Stephen Ross, and Township Engineers' John Theisen, LTL and Grant Hitchens, Kholi Assoc. In addition, there were approximately two members of the general public in attendance. Three persons arrived later in the meeting. Supervisor Norman Hughes was absent from the meeting.

Public Comment: None

Approval of Minutes – August 16, 2006

Mr. Whipple moved, seconded by Mrs. Price, to approve the minutes of August 16, 2006. Motion carried by unanimous vote.

Reports:

- a. Treasurer's Report – August 31, 2006: Mgr. Ross summarized the Report advising that current available funds are \$1,858,835.84. Mr. Whipple moved, seconded by Mrs. Bennett, to approve the August Treasurer's Report. The motion carried unanimously.
- b. Manager's Report – September 20, 2006: Mr. Ross's report has been distributed and is on the Township web page. Mr. Ross summarized his report by providing updates on the codification of ordinances, the Township Newsletter and the improvements at Crossan Park.
- c. Solicitor's Report: Solicitor Donohue advised that the Stipulation and Settlement Agreement that was approved at the 9/13/06 meeting has been signed by all parties with exception of himself. He noted there was need for an executive session following the public portion of the meeting.
- d. Zoning Officer/Building Inspector Report: Mr. Ross summarized by advising that \$10,256.30 was received for building fees, \$11,287.25 collected on Recreation, Open Space and Impact Fees, and \$2,582 for miscellaneous fees.
- e. Open Space Committee: Mr. Phil Geoghegan, Chairman of the Committee distributed a report on the Trail Feasibility Study to the

Board. He explained the details of the grant program and the process for obtaining funds to assist with the study. He advised the Board that their approval is required on the RFP, the Consultant Contract and the Grant Agreement and he will return at the October meeting to receive those approvals.

Old Business:

- a. Zoning Ordinance Floodplain Regulations (FEMA) – Ordinance 2006-04: Mr. Ross explained that FEMA has required the Township to amend the Ordinance to include new provisions provided by FEMA, by September 29, 2006. The ordinance has been duly advertised for Board consideration tonight. Engineer Theisen confirmed that the Ordinance is ready for the Board’s consideration. On motion by Mr. Whipple, seconded by Mrs. Bennett, Ordinance 2006-04 was approved. Motion carried by unanimous vote.

- b. Disposition of Records – Resolution 2006-13: Mr. Ross provided background information on the necessity for disposing of certain records. An outline of records to be disposed of was presented to the Historical Commission in accordance with Resolution No. 2005-36. The Historical Commission recommended that property tax information and newsletter and newspaper articles be withdrawn from the list and not be disposed of until the Commission has an opportunity to review them. On motion by Mr. Whipple, seconded by Mrs. Bennett, Resolution 2006-13, was approved and records as defined by the Historical Commission will be removed from the disposal list. Motion carried by unanimous vote.

Planning and Zoning:

- a. Planning Commission Report – September 7, 2006: Mr. Brindle provided a report of the activities of the Planning Commission including the business that was conducted at the meeting on September 7, 2006.

- b. Extension Letters: Chairman Whipple advised that the following extensions were received for consideration by the Board.
 - 1. Paradox Vineyard - October 31, 2006
 - 2. Miller Farms – December 14, 2006
 - 3. Cornerstone Presbyterian Church – December 21, 2006
 - 4. Lang – December 21, 2006
 - 5. Logan – December 27, 2006
 - 6. Christens – December 27, 2006

The deadlines for each of the Mackie, Ford, Banffshire and McMaster (two-lot) plans was September 29, 2006, but the Stipulation, which is

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now fully executed, provides further extensions to accommodate the parties effectuation of the obligations under that Stipulation.

On motion by Mrs. Price, seconded by Mr. Wilson the extension requests as noted above were approved. Motion carried by unanimous vote.

c. Escrow Releases: Chairman Whipple advised there were escrow release recommendations provided by the Township Engineer for the following developments:

1. Happy Harry's Release #7: Moved by Mr. Whipple, seconded by Mrs. Bennett, to accept the recommendation of the Township Engineer in the release of \$141,605. Motion carried by unanimous vote.
2. Auburn Hills Release #13: Deferred until later in the meeting (after road dedications.)

New Business:

a. Snow Removal Bid: Mr. Ross advised that bids were received for the removal of snow on Franklin Roads in 2006/2007. The following bids were received:

1. Mt. Rocky Trucking - \$50,400
2. Yardworks - \$48,400

Mr. Ross further advised that bid surety was provided in the form of a cashier's check in the amount of \$4,840 and \$5,040 from both bidders. The Manager and his Assistant, Mr. Eastburn, inspected the equipment for removal of snow and found everything acceptable including the required vehicle insurance information. On motion by Mr. Whipple, seconded by Mrs. Price, the 2006/2007 snow removal contract was awarded to Yardwords. Motion carried by unanimous vote.

b. Zoning Hearing Board Vacancy: Mr. David Francis has volunteered to serve as an alternate member of the Zoning Hearing Board on a term as determined by staff. On motion by Mr. Whipple, seconded by Mrs. Bennett, Mr. Francis was approved as an alternate member of the ZHB, term expiring on December 31, 2008. Motion carried by unanimous vote.

c. Auburn Hills Dedication - Resolution 2006-14: Wilkinson Builders provided plans and documents for the Board of Supervisors to review in order to accept for public improvement dedication the Auburn Hills roadways. This documentation included the following:

1. As built plans dated 9-23-02, last revised 8-8-06 and 9-15-06.
2. Deed of Dedication prepared by Jenkins Land Transfer, Inc.
3. E-mail message from Solicitor dated September 20, 2006 indicating that the review is complete and the documents are ready for Board consideration.
4. A letter from Kohli & Associates, Township Engineers, dated September 19, 2006 indicating that all documents submitted by the applicant are satisfactory.
5. A proposed resolution (2006-14) accepting the Auburn Hills public improvements.
6. A Maintenance Agreement outlining the responsibilities of the developer to correct any public improvement defects that occur over the next 18 month period.
7. A Maintenance Bond presented by Wilkinson Builders, underwritten by International Fidelity Insurance Company for a period of 18 months to insure public improvements as stated above.

On motion by Mr. Whipple, seconded by Mrs. Bennett, Resolution 2006-14 accepting Auburn Hills roadways for dedication was approved. Motion carried unanimously.

Escrow Release:

Auburn Hills Escrow Release #13: Mr. Whipple moved, seconded by Mrs. Bennett, to accept the recommendation of the Township Engineer in the release of \$20,305.43 and \$40,816.25 (contingency) for a total of \$61,121.68 leaving a balance of zero in the escrow account. Motion carried by unanimous vote.

- d. Certificate of Appropriateness – John Grimes, 1735 New London Road: The Board of Supervisors reviewed the application of appropriateness for the installation of a new front dormer and a shed dormer at rear of house at 1735 New London Road. The HARB has recommended approval of the application. Mrs. Price moved, seconded by Mr. Whipple, to approve the Certificate of Appropriateness as recommended by the HARB. Mr. Brindle explained his minority position on the HARB recommendation. Motion carried by unanimous vote.
- e. Federal Road Project: Mr. Ross referenced his memo dated September 14, 2006, informing the Board that the Chester County Planning Commission advised of the potential for federal funds for construction of a “roundabout”. It was suggested that Rt. 896 and Appleton Rd. could be a potential candidate. Mrs. Price suggested that two additional locations be considered including Rt. 896 and

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Good Hope Road and Rt. 896 and Rt. 841. The Board was in favor of the Manager communicating with the County Planning Commission regarding the all three locations.

Rute 896 Corridor Study:

Surrounding municipalities have been advised of the Corridor Study.

Public Comment: None

Adjourn: The meeting adjourned at 8:42 pm.

Respectfully submitted,

Stephen J. Ross
Township Mgr., Secretary

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