

FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS MINUTES
MARCH 14, 2007

Call to Order:

Chairman Juanita Bennett called the meeting to order at 7:04 p.m. Present were Supervisors Dick Whipple, Norm Hughes, Roger Wilson and Teddy Price. Also present were Solicitor Vince Donohue, Tom Comitta of Comitta and Assoc., Phil Geoghegan, Chairman of the Open Space Committee, Jeffrey Eastburn, Assistant Township Manager and Stephen Ross, Interim Township Manager-Secretary. There were approximately 8 members of the public in attendance.

Public Comment:

Mr. Wilson advised that he and Mrs. Bennett wanted to provide information on a gasoline release at the Kemblesville Sunoco service station. An undated document authored by Mrs. Bennett and Mr. Wilson was distributed to the public and the Board. A copy is available in the meeting file. Mrs. Price expressed concern that Chair Bennett did not make this an agenda item so that the Board and Solicitor could have prepared for the discussion.

Mr. Wilson said that the Board is responsible to "secure the safety, health and welfare of the citizens of the Township". He stated that the purpose of the presentation was to make Township and area residents aware that there had been a release or releases of gasoline (containing MTBE which is methyl tertiary butyl ether) from the station and added that he and Mrs. Bennett hoped their action would help inform residents about the situation and provide information about the chemical MTBE.

Mrs. Bennett read the first page of the document into the meeting record including – "Sunoco and Mulry and Cresswell (the Sunoco contractor conducting the remediation work) have completed an initial study to identify wells within ¼ mile of the station. They have also surveyed home owners in the New London and Appleton Road area. Water samples have been collected from domestic wells at seven locations with the permission of property owners. MTBE was reported at very low concentrations (less than 2 ug/l) in samples from 2 locations and water treatment systems were immediately installed". It also noted that "the Pennsylvania Department of Environmental Protection is responsible to define and monitor the ongoing test work" and "recent measured MTBE levels will require remediation at the site and the process equipment is scheduled to be installed this month".

The remainder of the document containing information on MTBE was taken from the Federal Government EPA website. Mr. Wilson expressed a favorable opinion of the performance of Sunoco's contractor, Mulry and Cresswell, and advised that Walt Leis, the Township's water consultant, is monitoring the situation as well.

The following persons spoke on the subject:

1. Jane Brown questioned the testing that is being used on ground water.
2. Jen Samuels questioned whether testing has been done at residential homes.
3. Amy Rector advised that she has received two letters from Sunoco regarding the testing, one quite a while ago and the 2nd in mid-2006. She stated that considering the time lapse involved, it would have been helpful to have been aware of the level of concern regarding the drinking water.

Ms. Price advised that once the testing is complete, the Township will have a public meeting with Walt Leis present to answer everyone's questions.

On other topics, Jane Brown requested that the Township consider placing an article in the Township Newsletter on recycling, to educate the general public on what items should or should not be placed in the bins.

Jane Brown questioned the process of inspecting the road banks and reporting problems. Janet Brown commented on the type of equipment that was used to cut the hedges on the roadway, suggesting that in some instances (School House Rd. was identified as an ongoing problem) it may be more cost efficient to bring in a large, better equipped contractor.

Old Business: (Mr. Comitta requested to be moved up on the agenda).

Zoning Ordinance Update: The firm of Thomas Comitta and Associates provided a proposal to Franklin Township to update the Zoning Ordinances. Mr. Comitta provided an explanation of the proposal, dated January 29, 2007, including an outline of tasks that will be part of the proposed zoning ordinance update. The presentation included a summary of the following features:

- Developing a "purpose" in accordance with the MPC.
- Development of standards along Rt. 896.
- Integration of previous ZO amendments.
- Community Development Objectives.
- Expanded definitions consistent with the MPC.
- Update the standards for conditional use.
- TND and Historic Preservation will not be included in the new ordinance.

Mr. Ross explained that the estimated cost for the Zoning Ordinance update is stated as \$56,000 with \$42,000 provided by the Vision Partnership Grant from Chester County. The Township Planning Commission will serve as the steering committee to develop the amended ordinance. It is estimated that it will take the greater part of 2007 and possibly into 2008 to complete the project.

- Mrs. Bennett requested that Mr. Comitta explain his procedure for putting together the proposal.
- Mrs. Bennett questioned whether Brandywine Conservancy will be included in the process.

- Mr. Wilson questioned the amount of the proposed contract and how this number was developed.
- Mrs. Bennett questioned why the Township didn't use a RFP process. Mr. Ross explained that he didn't use the RFP process because of Mr. Comitta's familiarity with the Township due to his work on the Comprehensive Plan and amending the Zoning Ordinance seemed to be a natural extension of the comp plan.

Mr. Wilson moved, seconded by Mrs. Bennett, to direct the Manager to obtain a separate quote from Brandywine Conservancy to update the Zoning Ordinance. Motion carried by a vote of 4-0 with Ms. Price abstaining from the vote.

New Business:

Crossan Park – Option 5: Mr. Ross gave an overview stating that the Township is planning to construct ball fields on a parcel of ground within the existing open area of the park. To facilitate the development of the ball fields, URS was retained to provide the Township with several conceptual options. Five options were developed, per Mr. Horenburger's February 22, 2007 memorandum, ranging in cost from \$359,000 to \$464,000. The Staff recommended that only the ball fields be built at an estimated cost of \$317,000, and the additional parking area be deferred until it was known whether a hard surface is necessary. This expense is provided for in the 2007 budget. Mr. Ross and Mr. Eastburn posted a copy of a sketch plan showing the proposed ball field and its relationship to the path and other parking area at the park. Mr. Ross explained that the reason it is important for the Township to spend money on the Park is because of the removal of the skate board facility which was paid for by the County. Therefore that money needs to be spent on Park improvements or repaid to the County. Mr. Wilson moved, seconded by Mrs. Bennett, to authorize URS to complete the plans and specifications depicted as option #5. Motion carried by a vote of 5-0.

Bids/Contract Award: The Township Staff previously opened the bids publicly on March 5, 2007 and announced that bids for the Mowing Service for roadside mowing and municipal property mowing (Crossan Park and Township Building) included the following quotes:

Roadside Mowing:

Mt. Rocky Trucking: \$23,250.

J. Dominic D'Orazio, Yardworks: \$27,000.

Municipal Property Mowing (Crossan Park and Township Building):

White Clay Lawn Service \$12,641

Carter & Son \$13,335

All successful bidders are covered by a performance bond.

APPROVED

On motion by Ms. Price, seconded by Mr. Wilson, the contract for Roadside Mowing was awarded to Mt. Rocky Trucking at a cost of \$23,250. Motion carried unanimously by a vote of 5-0.

Ms. Price moved, seconded by Mr. Wilson, to award the contract for Municipal Property Mowing to White Clay Lawn Service at a cost of \$12,641. Motion carried by unanimous vote of 5-0.

Old Business, cont'd:

Avon Grove High School Parent Association – After-Prom Party: The Parent Association is seeking to raise money from the various townships within the AG School District to underwrite the cost of the After-Prom Party. On motion by Mr. Hughes, seconded by Mrs. Bennett, authorization was provided to send the AG Parent Association a check in the amount of \$500. Mr. Ross advised that he will request that in the future the Parent Association submit their request in the fall of the year so that it can be made part of the annual budget. Motion carried by a unanimous vote of 5-0.

Executive Session – Discussion of Property Purchase:

At 8:45 p.m. Mrs. Bennett announced that because of discussions with private property owners regarding the Township purchasing their property and discussions regarding appraised values, the Board will convene into executive session.

At 9:20 p.m. the meeting was reconvened into public session.

Property Purchase:

On motion by Mr. Whipple, seconded by Mrs. Bennett, the Township Staff and Open Space Committee were authorized to file a Chester County and DCNR grant applications for the acquisition of a property located in the northern quadrant of the Township and approve Resolutions No. 2007-07 and 2007-09 were approved. Motion carried by a vote of 5-0.

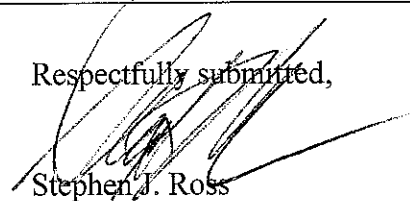
On motion by Mr. Wilson, seconded by Ms. Price, the Township Staff and Open Space Committee were authorized to file the required information and Grant Applications to DCNR and Chester County for the acquisition of a property in the central part of the Township and Resolution No. 2007-08 was approved. Motion carried by unanimous vote.

Public Comment: No public comment

Adjournment: Meeting was adjourned at 9:25 pm.

APPROVED

Respectfully submitted,



Stephen J. Ross
Township Manager/Secretary

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