

**FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS MINUTES
JUNE 20, 2007**

Call to Order:

Chairperson Juanita Bennett called the meeting to order at 7:03 p.m. Present were Supervisors Roger Wilson, Teddy Price, Dick Whipple and Norman Hughes. Also present were Solicitor Vince Donohue, Eric Brindle, Chairman of the Planning Commission, Phil Geoghegan, Chairman of the Open Space Committee, Jeff Eastburn, Assistant to the Township Manager, Joan McVaugh, Treasurer and Stephen Ross, Interim Township Manager. There were approximately 4 members of the public in attendance.

Public Comment: No public comment.

Approval of Minutes – May 9, 2007, May 16, 2007, and May 31, 2007:

On motion by Mr. Wilson, seconded by Mr. Hughes, the minutes of May 9, 2007, were approved as presented. Motion carried by a vote of 5-0.

On motion by Mr. Wilson, seconded by Mr. Hughes, the minutes of May 16, 2007, were approved as presented. Motion carried by a vote of 5-0.

On motion by Mr. Wilson, seconded by Mrs. Bennett, the minutes for the special meeting of May 31, 2007 were approved as presented. Motion carried by a vote of 5-0.

Reports:

- a. Treasurer's Report – May 2007: Mrs. McVaugh provided a summary of the monthly report including a month-end balance for May of \$2,407,797.07. This compares with a total fund balance in 2006 of \$2,504,039.04. Ms. Price moved, seconded by Mr. Wilson, to approve the Treasurer's Report for May 2007. Motion carried by a vote of 5-0.
 - Purchase Policy: Mr. Ross and Mrs. McVaugh explained that all purchases above \$1,000 must have an approved purchase order. Purchases in excess of \$10,000 must follow the provisions of the Township Code unless it meets the exemption rules.
 - Accounts Payable Policy: Mr. Ross and Mrs. McVaugh explained the policy including the requisition process and responsible parties for approving invoices.

Following presentation of the proposed policies Supervisors Wilson, Hughes and Bennett requested examples of how the procedures would work and Mrs. Bennett requested that the first sentence of the third paragraph of the Purchasing Procedure be revised to cover purchases over \$1,000 and under \$4,000 (rather than \$2,000). Mrs. Bennett also requested that written quotes, rather than

telephone quotes, be obtained when possible. It was agreed that all exceptions to the bid requirements would be well documented. Mr. Ross indicated that both procedures would be revised as discussed and formalized with a signature/date block for the Board's signature. Mr. Wilson moved, seconded by Mr. Hughes, to approve the Purchase and Accounts Payable Policies, with corrections as noted. Motion carried by a vote of 5-0.

- b. Manager's Monthly Report: Mr. Ross summarized the monthly report of the Manager and Staff by commenting on the seminars attended by Mr. Eastburn, the Township Newsletter, listing of developments, Crossan Park improvements, 2007 Roadwork Program and the Septic Management Plan. Mrs. Bennett asked if there was anything further on the Sunoco issue and Mr. Wilson inquired whether the Roof Replacement item was in the 2007 budget. Mr. Ross advised that he has heard nothing further from Sunoco and although the roof replacement is not a budget item, there is a capital budget for such occurrences.
- c. Solicitor's Report: Mr. Donohue advised that the Miller Farm has been discussed privately with Mr. Socrates Georgeadis, Mr. Pompo and Mr. Ross. Mr. Donohue provided an update on the Robino/Handler proposed Development and Stipulation Agreement advising that several revisions have been made to the original sketch plans, the most prominent of which are a reduction of residential units and the elimination of the commercial use component. In answer to Mr. Wilson's question regarding whether the gateway feature would remain the same, Mr. Adelman, attorney for the applicant, confirmed that it has been eliminated along with the commercial component. Mr. Adelman advised that the applicant will available on an informal basis to work out the details after the Board and their consultants have had time to review the revised plan. The applicant is not pressuring the Township for a quick response.
- d. Zoning Officer/Building Inspector Report: Mr. Ross reported that there were 16 permits issued for various uses during the month. Building fees totaled \$1,500 and miscellaneous fees totaled \$856.66. Forty-five building inspections were conducted. Other activities included zoning activities, HARB activities, and zoning site visits.
- e. Open Space Committee: Mr. Phil Geoghegan reported on the following issues:
 - Botanical Survey: Mr. Geoghegan presented a letter that is to be sent to approximately 50 residents of the Township. The letter includes a request to tour the owner's property; an offer of the site ecological summary and native plant list, at no cost to the property owner; and explains that a member of the OSC will be contacting the property owner in the near future to obtain their permission and to arrange a convenient time for a tour. Janet Ebert has been selected to conduct the survey at a cost to the Township of \$5,000, half of which is being paid by the White Clay Creek Mgmt. Committee and another quarter by Tree Vitalize, a DCNR funded

program. The consensus of the Board was to proceed with sending the letter to the residents and to have Mr. Geoghegan sign it as Chair of the OSC. Mrs. Bennett asked Mr. Geoghegan to see if the Ken Swan property should be added to the list of potential sites to visit.

- Trail Study Update: Mr. Geoghegan advised that he had a recent meeting with the consultant, Mr. Ray Ott, who is preparing the trail study. They visited various potential sites where trails might be located. The next steps include consultant interview of key personnel (Brandywine Conservancy, National Lands Trust and the County). The intent is to have a status report to the Board on 7/18/07 and to get input from the Board at that time. A meeting is scheduled for August 20th to finalize a public workshop at the Township tentatively scheduled for September 10th, for the purpose of getting input from the residents as to their expectations for the trail system. Public notification for a September 10th meeting would be 8/31/07.

- f. Ford Farm Committee: Mr. Ross reported that the Committee has been active in trying to develop a recommendation on the future disposition of the buildings on the Ford Farm. The Committee is trying to obtain a quote from a firm to stabilize the barn so that if the adjacent out-buildings are demolished the barn doesn't collapse. Mr. Ross asked for recommendations from anyone regarding companies that do this type of work. The Township is required to report back to the developer by October 2007 as to which buildings are to be removed.

Old Business:

- a. Amendment to Subdivision Land Development Ordinance (SALDO): Mr. Ross explained that the ordinance under consideration would add a new §411.E to §411 of the Franklin SALDO setting forth stipulated penalties for any developer's failure to comply with the provisions of an approved E & S and Stormwater Management Plan. It further stipulates to immediately stop all development and site work for any project, with the sole exception of the remedial work necessary to bring the site into compliance with an approved plan. Mr. Ross is seeking approval from the Board to advertise the ordinance. Mr. Wilson moved, seconded by Mrs. Bennett, to authorize the Township Manager to advertise the ordinance. Motion carried by a vote of 5-0.

Planning and Zoning:

- a. Kemblesville TND: Mr. Comitta presented to the Board a copy of the proposed ordinance. He summarized the ordinance and sought questions from the Board. Mr. Whipple questioned whether the ordinance was ready for advertisement without the Transfer of Development Rights (TDR) component. Mr. Comitta advised that he spoke with Mark Thompson about the TDR provision that could be added later. If the ordinance is advertised without the TDR, specific wording

changes, which were discussed, will be made. Mrs. Bennett questioned whether the proposed ordinance was in conflict with the newly submitted revision to the TND plan. Mr. Donohue explained that the TND plan is a separate issue from the proposed TND ordinance. Mr. Wilson and Mrs. Bennett expressed concern that they have not had enough time to review the document. Mr. Ross and Mr. Donohue stated that there will be at least a two month time lapse before the ordinance will be on the agenda for adoption due to the need to have it reviewed by the CCPC and the Township PC. Mr. Whipple moved, seconded by Mr. Hughes, to authorize the advertisement of the proposed TND ordinance and the provisions of the MPC regarding Planning Commission review be met. The motion carried by a vote of 3-2. Mr. Wilson and Mrs. Bennett voted nay.

- b. Planning Commission Report: Mr. Brindle provided a report of the Planning Commission and their activities from the June 7, 2007 meeting.
- c. Extension Letters: Mr. Ross reviewed the following developments and their letters to extend the time for consideration of their plans:
 - Woods Edge – extended to August 15, 2007
 - Dolores Morris – extended to August 16, 2007
 - Cornerstone Presbyterian Church – extended to September 20, 2007
 - Abel Subdivision – extended to September 20, 2007
 - Christens – extended to September 30, 2007
 - Logan Tract – extended to September 30, 2007

On motion by Mrs. Bennett, seconded by Mr. Hughes, the Board approved the requested extensions on the development plans as noted above. Motion carried by a vote of 5-0.

Public Comment:

Mr. Brindle commented on the need for the Board members to articulate what they want to have built on the McMaster/Echo Hill site.

Meeting Recess:

Meeting recessed at 8:40 pm into executive session in order to discuss the possible purchase of a property for open space.

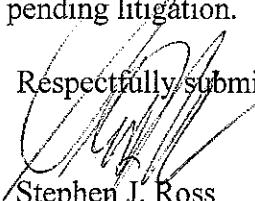
Meeting reconvened at 9:05 p.m.

Appraisal of Private Property: Mr. Geoghegan advised that it was critical to have the property appraised for consideration of future open space. The cost of the appraisal is \$2,500 and the cost for administering the grant application with Natural Land Trust is \$2,500. Mr. Whipple moved, seconded by Mr. Hughes, to authorize the Open Space Committee to proceed with the appraisal and the filing of grant applications for an unspecified property on Chesterville Road. Motion carried by a vote of 5-0.

APPROVED

Adjourn: The Meeting was adjourned at 9:06 p.m. with the intent of going into a further executive session with the Solicitor to discuss the status of pending litigation.

Respectfully submitted,


Stephen J. Ross
Township Secretary

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