

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS MINUTES FEBRUARY 18, 2008

Call to Order:

Chairman Richard Whipple called the meeting to order at 7:07 p.m. Present were Supervisors Nan Latimer, Norman Hughes, Eric Brindle and Paul Overton. Also present were Solicitor Mark Thompson; Assistant Township Manager, Jeff Eastburn; Planning Commission Chairman, Ralph Olivier; Township Engineers Stan Corbett and Sandi Morgan; and, Township Secretary, Sharon Norris. There were 9 members of the public in attendance.

Public Comment: No public comment.

Approval of Minutes:

The minutes for the January 21, 2009 meeting are still being prepared so there were no minutes to consider.

Reports:

Treasurer's Report: The monthly report contains a total fund balance of all funds of \$5,015,031.83. On motion by Mr. Whipple, seconded by Ms. Latimer, the January 2009 Treasurer's Report, including disbursements from the General Fund totaling \$98,315.74; the Park & Rec Fund totaling \$4,742.92; the Open Space Fund totaling \$12,982.92; the Emergency Services Fund totaling \$3,798.99; and the Fire Hydrant Fund totaling \$326.70; was approved as prepared by the Township Treasurer. Motion carried by a vote of 5-0.

Solicitor's Report: Mr. Thompson advised that, as directed at the 2/11/09 meeting, he is working with the attorney for the Avon Grove Charter School to achieve necessary financial security in order for the Township to be the applicant on an application to PennDOT for certain highway improvements. At the conclusion of Mr. Thompson's report, Mr. Whipple announced that, after the 2/18/09 public meeting, there would be an executive session with the Solicitor.

Zoning Officer/Bldg. Inspector Report: Mr. Eastburn provided a summary of the Zoning Officer's report which includes the issuance of 6 building permits for a total of \$2,291.20, impact fees of \$1,542.52, and misc. fees of \$670.50 and 34 building inspections.

Planning and Zoning:

- A. *Planning Commission Report:* Mr. Olivier provided a summary of the activities at the February 5, 2009 Planning Commission meeting which included a review of the Trail Feasibility Study and the Charlton Preliminary Land Development Plan, as well as a recommendation to the Board for Conditional Final Approval of the Insinga Subdivision Plan.

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- B. HARB/Historical Commission Report: There has been no activity by the HARB/Historical Commission since the last report but Mr. Olivier reminded everyone that there would be a meeting on March 3, 2009.

Old Business:

- A. Community Sewer Funding Possibilities: Mr. Whipple explained that Mr. Overton had arranged for a representative of PENNVEST, the Pennsylvania Infrastructure Investment Authority, to make a presentation. Mr. Overton introduced Ms. Vickie Johnson of PENNVEST and explained that the Township needed to be exploring the financing alternatives should a developer-built community sewer system not become available for the Village area of Kemblesville to tie into.

Ms. Johnson explained the various low interest loans and possible grants for which the Township could apply through PENNVEST. It was emphasized that the median income of an area is a major factor in determining what portion of any financial assistance may be available in the form of grants, versus low interest loans. This is critical because the cost of paying back any PENNVEST loans is a major factor in setting the user fees that are paid by all participants.

Ms. Johnson emphasized that PENNVEST and the Pennsylvania Department of Environmental Protection (DEP) work in concert in determining the eligibility for, and ultimate structuring of, any eventual financial assistance that municipalities receive through PENNVEST. The application process includes a Planning Consultation which involves representatives of PENNVEST and DEP. If the Township desired to schedule a Planning Consultation prior to completing its' Act 537 Plan, they could do so without filing an application for funding. She also explained that an alternative source of financial assistance for waste water treatment can be programs sponsored by the United States Dept. of Agriculture (USDA). The contact person at USDA is Susanne Gantz (717) 272-3908.

All those in attendance had an opportunity to ask questions of Ms. Johnson or the Board. It was emphasized that, at this stage, the Township is only attempting to become aware of the various available options should there be a need in the future to implement a community wastewater system for the Village area.

Extension Requests:

Mr. Whipple moved, seconded by Mr. Hughes, that the following extension requests be approved:

- Brothers Property to March 26, 2009
- Appleton Glen (formerly Insinga) to March 29, 2009
- Hess Mill Lots 6 & 8 to June 19, 2009
- Miller Farm to June 30, 2009
- Ashby Hills (formerly Christens) to June 30, 2009
- Logan Tract to June 30, 2009
- Fisher Property to June 30, 2009
- Abel Property to September 15, 2009

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Motion passed unanimously.

Ordinance Amendment Authorization – Special Use District:

Mr. Whipple moved, seconded by Mr. Hughes, that the Board authorize amending the provisions of the Special Use District to refer to Mushroom Substrate Processing as a use permitted by conditional use. Motion carried unanimously

Escrow Releases / Acceptance:

White Clay Knoll – Escrow Release #12: Mr. Whipple moved, seconded by Ms. Latimer, that the Board approve Escrow Release #12 for White Clay Knoll in the amount of \$6,586.20. Motion carried unanimously.

Lexington Point – Escrow Release #2: Mr. Whipple first explained that this is actually the first release of escrow for Lexington Point, but that it's termed #2 because the first request was denied as inadequately documented. Mr. Whipple then moved, seconded by Mr. Hughes, that the Board approve the Engineer's recommendation to revise the financial security associated with the Lexington Point Development to a total of \$3,587,731.90 and then grant an Escrow Release of \$1,367,213.18 from that revised amount, leaving a balance of \$2,220,518.17 which is the required financial security, pursuant to the Township Engineer's review letter dated February 9, 2009. Motion carried unanimously.

Escrow Acceptance – Lexington Point: Concerning what is actually a third separate financial security for Lexington Point, Mr. Whipple moved, seconded by Mr. Hughes, that the Board confirms and accepts the following items provided to the Township by Creek LLC in order to comply with the Agreement to Construct Community Wastewater Collection, Treatment and Disposal facilities between Franklin Township and Creek, LLC.: 1) a Letter of Credit in the amount of \$627,089.51 as security for payments to be made to the Lexington Point Capital Reserve Account; and 2) a check in the amount of \$73,949.39 representing the 2007 and 2008 payments to the Capital Reserve Account sinking fund made by Creek, LLC. Motion carried unanimously.

New Business:

- A. 2009 League Schedule and Contracts: Mr. Whipple moved, seconded by Mr. Brindle, that the Board approve contracts with Avon Grove Flag Football, Avon Grove Little League, Avon Grove Recreation Assoc. & White Clay Creek Soccer for 2009 use of the athletic fields at Elwood Crossan Park, including a total of 130 events for the 90' field, 108 events for the 60' field and 55 events for the new field. Motion carried unanimously. Mr. Whipple commended Secretary Norris for her excellent work with the leagues in bringing this information together with time to spare before play begins.

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B. Bid Awards: Asst. Township Mgr., Jeff Eastburn stated that a greater number of bids were received this year than in previous years and indicated his recommendations for the bid awards.

1. Township Mowing and Brush Removal: Mr. Whipple moved, seconded by Mr. Hughes, to award the 2009 Contract for Township Mowing and Brush Removal to the lowest qualified bidder, Yardworks, Inc., in the amount of \$18,280 (for the quantities specified for bid comparison purposes). Motion carried unanimously.
2. Weed & Feed Program for Elwood L. Crossan Park: Mr. Whipple moved, seconded by Ms. Latimer, to award the 2009 Contract for the Weed and Feed Program at the Elwood L. Crossan Park to the lowest qualified bidder, Chester County Sports Turf, in the amount of \$17,493 (for the quantities specified for bid comparison purposes). Motion carried unanimously.
3. Township Park and Municipal Building Mowing Services: Mr. Whipple moved, seconded by Ms. Latimer, to award the 2009 Contract for Township Park and Municipal Building Mowing Services to the lowest qualified bidder, Chester County Sports Turf, in the amount of \$11,980 (for the quantities specified for bid comparison purposes). Motion carried unanimously.

Mr Whipple commended Asst. Mgr. Eastburn for the extensive effort he put forth that resulted in very competitive bidding for all three of these contracts.

C. Avon Grove Library Board: Mr. Whipple moved, seconded by Mr. Brindle, to appoint Mark Ungemach as a Franklin Twp. representative to the Avon Grove Library Board. Motion carried unanimously. The Board expressed appreciation to Mr. Ungemach for his willingness to serve the community in this fashion.

Executive Session:

The Chairman reminded everyone of the previously announced plans for an Executive Session after the regular meeting to discuss potential acquisition of real property and ongoing litigation matters.

Public Comment: Earl Hatton commended the Board for the Township's significant commitment to providing athletic fields for the area sports leagues.

Adjourn: On motion by Mr. Whipple, seconded by Mr. Hughes, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Sharon Norris
Township Secretary

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