

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS MINUTES OCTOBER 21, 2009

Call to Order:

Chairman Richard Whipple called the meeting to order at 7:03 p.m. Present were Supervisors Hughes, Brindle & Overton. Supervisor Latimer was absent. Also present were Planning Commission Chairman Ralph Olivier, Solicitor Mark Thompson, Assistant Township Mgr. Jeff Eastburn and Township Secretary Sharon Norris. There were 2 members of the public in attendance.

Executive Session: Mr. Whipple announced that there will be an executive session following tonight's meeting to discuss pending legal matters.

Public Comment: No public comment.

Approval of Minutes:

BOS Minutes – 9/09/09: Mr. Whipple moved, seconded by Mr. Brindle, to approve the Minutes of September 9, 2009 as presented. Motion passed unanimously.

BOS Minutes – 9/16/09: Mr. Whipple moved, seconded by Mr. Brindle, to approve the Minutes of September 16, 2009 as presented. Motion passed unanimously.

Resolution 2009-39 – Disposition of Records: Mr. Whipple moved, seconded by Mr. Brindle, to approve Resolution 2009-39 authorizing the disposition of records. Motion carried unanimously.

Reports:

Treasurer's Report: Mr. Whipple moved, seconded by Mr. Brindle, to approve the September 2009 Treasurer's Report as presented by the Township Treasurer, including disbursements and transfers from the General Fund totaling \$89,046.66; the Park & Rec Fund totaling \$9,284.04; the Open Space Fund totaling \$8,662.50; the Emergency Services Fund totaling \$17,099.99; and the Fire Hydrant Fund totaling \$798.60; with total balances in all funds at 09/30/09 equaling \$4,810,587.79. Motion passed unanimously.

Solicitor's Report: Solicitor Thompson had nothing new to report.

Zoning Officer's Report: Mr. Eastburn provided a summary of the Zoning Officer's Report which included the issuance of 19 building permits, with fees totaling \$3,796.70. There were 52 building inspections completed.

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Planning & Zoning:

Planning Commission Report: Mr. Olivier summarized the actions taken by the Commission at their October 1, 2009 meeting.

Megill Subdivision Plan: Solicitor Thompson contacted the attorneys for the Matsen family and Megill Homes L.L.C., and both indicated that they were no longer interested parties in the subdivision plan. Solicitor Thompson recommended that the Board consider the recommendation of the Planning Commission to deny the plan based on the deficiencies that were noted in the Township Engineer's report and discussed at the Planning Commission's October 1st meeting.

Mr. Whipple moved, seconded by Mr. Brindle, to accept the recommendation of the Franklin Township Planning Commission and deny the Megill Homes, L.L.C. Preliminary/Final Subdivision Plan dated 11/15/07, last revised 01/09/08, based on the following reasons, including but not limited to:

1. A denial of the portion of the subdivision plan that is located in New London Township, via New London Township's denial letter dated August 17, 2009.
2. Failure to comply with SALDO 502.J which requires all zoning boundaries on the tract or within 300 feet of the tract to be shown.
3. Zoning Section 301 Zoning Map, the proposed subdivision plan is in conflict with the Franklin Township Zoning Map.
4. Zoning Section 302, the district boundary was redefined in conflict with the Section 302.C regarding uncertainty as to the actual location of the district boundary.
5. Inconsistencies between the Request for Planning Waiver and Non-Building Declaration Request and indications the applicant intends to further subdivide the parcel in New London Township.
6. Failure to address Zoning Ordinance Article XXIV regarding Natural Resource Protection Standards, identified as item #6, pg. 2, in the Kohli & Associates, Inc. review letter of 02/20/08.
7. Failure to indicate an ultimate right-of-way along Walnut Glen Road, as required by SALDO Section 705.A.
8. Failure to show the placement of monuments in conformance with SALDO Section 717.

Motion passed unanimously.

New Business:

Natural Lands Trust Resolution 2009-40: Mr. Whipple summarized the purpose of the Resolution. Mr. Whipple moved, seconded by Mr. Brindle, to approve Resolution 2009-40, authorizing the use of endowment funds contributed to the Natural Lands Trust for the benefit of the Peacedale Preserve, to also be used to fund the perpetual preservation and conservation of any property acquired by

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Natural Lands Trust that is contiguous to the Peacedale Preserve and to be added to the Peacedale Preserve. Motion passed unanimously.

Memorandums of Understanding for Multi Link Trails: Mr. Whipple moved, seconded by Mr. Brindle, to authorize the Chairman of the Board of Supervisors of Franklin Township to sign Memorandums of Understanding between Franklin Township and London Grove Township and between Franklin Township and London Britain Township, concerning the coordination needed to link existing or proposed trail networks within bordering townships. Motion passed unanimously.

2008-2009 Interim Road Program Extension through 11/18/09: Mr. Whipple explained that the extension is necessary in order to allow time for the awarding of the 2009-2010 contract.

Mr. Whipple moved, seconded by Mr. Brindle, to extend the existing Interim Road Maintenance Contract between Yardworks and Franklin Township through 11/18/09 at the currently agreed to rates. Motion carried unanimously.

2009-2010 Interim Road Program Award: Mr. Eastburn advised that the bids for both the 2009-2010 Interim Road Program and the 2009-2010 Snowplowing Services were duly advertised on September 17 and 21, 2009. Although there was widespread interest in the bid packages, the sole bidder for both services was J. Dominic D'Orazio, Yardworks, Inc. The staff determined that the paperwork submitted is adequate and the prices are equal to or lower than those from previous years. Mr. Eastburn recommends that the Board consider approving both bids from Mr. D'Orazio. Mr. Whipple moved, seconded by Mr. Brindle, that after advertising for bids and receiving a bid for the 2009-2010 Interim Road Maintenance Services Contract, an award be made to J. Dominic D'Orazio, doing business as Yardworks, at a price of \$70,901.75 for the estimated quantities that were used for soliciting bids. Motion passed unanimously.

2009-2010 Snowplowing Services Award: Mr. Whipple moved, seconded by Mr. Brindle, that after advertising for bids and receiving a bid for the 2009-2010 Deicing and Snowplowing Services Contract, an award be made to J. Dominic D'Orazio, doing business as Yardworks, at a price of \$55,070.00 for the estimated quantities that were used for soliciting bids. Motion passed unanimously.

Parking Agreement – Goodwin Preserve: Mr. Whipple explained that the purpose of the agreement is to allow Natural Lands Trust to design the parking lot at the Goodwin Preserve.

Mr. Whipple moved, seconded by Mr. Hughes, to authorize a Cooperative Agreement between Franklin Township and Natural Lands Trust for the design of a parking lot at the Goodwin Preserve, for an amount not to exceed \$1,600 with a change in the effective date to 10/21/09 and a change of the signatory to the Chairman of the Board of Supervisors. Motion carried unanimously.

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Public Hearing: Resolution 2009-41 – Agreement of Sale for lands north of Parsons Rd. and west of Crossan Park: Solicitor Thompson advised that when the Township desires to use funds obtained by its taxing authority under the Open Space Lands Act, it is required that a Public Hearing be held. The Township has an intent to approve a transaction for Parcel Nos. 72-5-17, 72-5-17.5, 72-5-17.6, and 72-5-18, consisting of approximately 91.7 acres. Mr. Thompson called for comments from the public. Mr. Olivier asked if the parcels are known by another name. Mr. Whipple advised that for privacy reasons, the property is being identified by location rather than by the property owner's name since the Agreement of Sale has not yet been executed. Solicitor Thompson closed the hearing for purposes of compliance with the Open Space Lands Act.

Mr. Whipple moved, seconded by Mr. Brindle, that the Board adopt Resolution 2009-41 authorizing the purchase of open space of approximately 91.7 acres north of Parsons Rd. and west of Franklin Township's Elwood Crossan Park. Motion passed unanimously.

Public Comment: No public comment.

Adjourn: The meeting was adjourned at 7:27 p.m.

Respectfully submitted,

Sharon Norris
Township Secretary

BOS 10.21.09.v.1.er