

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS MINUTES JANUARY 20, 2010

Call to Order:

Chairman Richard Whipple called the meeting to order at 7:07 p.m. Present were Supervisors Brindle, Overton, Latimer and Hughes. Also present were Solicitor Mark Thompson, Assistant Township Mgr. Jeff Eastburn, Township Secretary Sharon Norris, Planning Commission Chairman Ralph Olivier, Robert Lonsdorf and Jessica Moore of Brandywine Conservancy and Dr. Bern Sweeney of Stroud Research Center. Open Space Committee Chairperson Teddy Price was also in attendance as were 8 members of the public.

Executive Session: Mr. Whipple announced that there will be an Executive Session following tonight's meeting to discuss ongoing litigation.

Public Comment: No public comment. Mr. Whipple advised that there will be a separate public comment after the reforestation discussion.

Approval of Minutes:

- a. December 9, 2009 Minutes: Mr. Whipple moved, seconded by Ms. Latimer, that the Board approve the December 9, 2009 minutes as presented by the Township Secretary. Motion carried unanimously.
- b. January 4, 2010 Minutes: Mr. Whipple moved, seconded by Ms. Latimer, that the Board approve the January 4, 2010 Minutes as presented by the Township Secretary. Motion passed unanimously.
- c. Mr. Whipple moved, seconded by Ms. Latimer, that the Board approve Resolution 2010-08, regarding the Disposition of Records. Motion passed unanimously.

Reports:

- a. Treasurer's Report: Mr. Whipple moved, seconded by Ms. Latimer, to approve the December 2009 Treasurer's Report as presented by the Township Treasurer, including disbursements and transfers from the General Fund totaling \$576,604.61, the Park & Rec Fund totaling \$215,027.61, the Open Space Fund totaling \$2,387,154.47, the Emergency Services Fund totaling \$37,914.24, and the Fire Hydrant Fund totaling \$798.60. Total balances in all funds as of 12.31.09 equal \$2,153,288.64. Motion passed unanimously.
- b. Solicitor's Report: No report.

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- c. Zoning Officer Bldg. Inspector Report: Mr. Eastburn summarized the Zoning Officer's Report which included the issuance of 11 building permits in the amount of \$4,776.70, and 63 various building inspections were completed.

Planning & Zoning:

- a. Planning Commission Report: Chairman Olivier reported that the Planning Commission did not meet in January.
- b. HARB/Historical Commission Report: Chairman Olivier reported that the HARB met on January 2, 2010 and elected the following officers: Ralph Olivier, Chairman; Paul Lagasse Vice Chairman; and Pat Talwin, Secretary. They also approved a Certificate of Appropriateness (COA) application for the Schreiner residence at 100 Walker Road which involves the removal and replacement of deteriorated steps. Their proposal meets all required standards. The HARB recommends that the Board approve the COA.

Escrow Release:

- a. Charlton Release #2: Mr. Whipple moved, seconded by Mr. Hughes, to follow the recommendation of Township Engineers, LTL Consultants, and approve Escrow Release #2 for the Vaughn Charlton Land Development Plan in the amount of \$42,832.80. Motion passed unanimously.

New Business: Mr. Whipple moved agenda item VIII.f to the first item of New Business to accommodate the applicant.

- a. 1667 New London Rd. Lawsuit Settlement: Mr. Charlton was present at the meeting. Solicitor Thompson advised that he and Mr. Charlton have agreed on \$11,700 as an offset number for the future right-of-way proposed to be dedicated as part of this project. Solicitor Thompson recommended to the Board, if they accept that number, to direct the Solicitor to draw up the appropriate documentation needed to settle the case and have the case withdrawn and to make sure that the area that is to be dedicated as part of the future right-of-way, is memorialized. Mr. Whipple so moved, seconded by Ms. Latimer. Mr. Overton asked for clarification of the term "memorialized". Solicitor Thompson advised that in order to memorialize the right-of-way as shown on the plan as that which is to be dedicated as part of the future right-of-way, he has recommended that a one page document describing the area to be dedicated to the Township or other entity, be drawn up. When properly executed, this document will be recorded with the Recorder of Deeds. Motion passed unanimously.
- b. Reforestation Project: Mr. Whipple introduced Mr. Robert Lonsdorf of Brandywine Conservancy (BC) who, along with Dr. Bern Sweeney, is the co-creator of the Project Description and Management Plan. Mr. Lonsdorf provided an overview of the Reforestation Project which is a proposal to plant 2,450 trees along the middle branch of the White Clay Creek which flows through the

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Goodwin Preserve. The trees, stakes and tubes (approximate retail value of \$30,000), are being provided free of charge through the Tree Vitalize Program of the State of Pennsylvania in combination with private funding and the PA Horticultural Society. Octorara Nursery is the provider of the trees. The Plan proposes to use volunteers to accomplish the planting. Mr. Lonsdorf introduced Dr. Bern Sweeney who is the Director of the Stroud Research Center and worked with Mr. Lonsdorf to create the Plan. He is also the main contact with the Tree Vitalize Program. Also introduced was Ms. Jessica Moore from Brandywine Conservancy, who managed a similar project (The Laurels) for the BC and is here to offer her insight gained from that experience. All members of the Board of Supervisors (BOS) and the Open Space Committee (OSC) are on the "Project Team", along with Sharon Norris and Jeff Eastburn. Mr. Whipple thanked Mr. Bill Skalish for volunteering to act as the Township's Coordinator of the project and asked him to lead the discussion regarding the details of the plan. There was a thorough discussion of all items related to the event. To assist Mr. Skalish in capturing the numerous details covered in the wide ranging discussion, the Township Secretary crafted a compilation of the various items mentioned. That compilation will be provided to Mr. Skalish, in addition to being made a part of the January 20, 2010 meeting file and the Reforestation Project file.

The event is scheduled for Saturday March 20, 2010 with a severe weather date of March 27, 2010. The goal is to complete the project in one day. Mr. Skalish has a detailed "To Do List" that includes a time-line by which each item is to be completed. The Volunteers will be recruited from a variety of sources and individual team members have responsibility for contacting those sources. A list of the sources and the responsible team member is included in the attached compilation. The Plan will be revisited at the Open Space Committee meetings on February 9th and March 9th and Mr. Skalish will update the Board, if necessary, at their February & March meetings.

Supervisor Hughes stated that he would like to see a detailed maintenance plan with associated costs where possible. Mr. Lonsdorf referenced the Annual Management Plan which is outlined in the overall reforestation plan and suggested that he and Dr. Sweeney will expand it and provide approximate costs. Mr. Lonsdorf also advised that he has approached the White Clay Creek (WCC) group for budgeting assistance and he feels that the maintenance will not be an undue burden on the Township. Mr. Overton asked if the Township should commit to two mowings per year and rely on BC and WCC for the rest of the maintenance program. Mr. Lonsdorf feels that is approximately correct but will look into it further.

- c. Trucks on South Guernsey /Hess Mill Bridge Weight Restriction: Mr. Whipple moved, seconded by Ms. Latimer, to follow a recommendation in a 9/15/09 memorandum from Township Engineers McCormick Taylor that the Township Solicitors work with McCormick Taylor to craft for consideration an ordinance that appropriately restricts certain truck traffic on S. Guernsey Rd. Motion passed unanimously.

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Mr. Whipple moved, seconded by Ms. Latimer, to follow a recommendation in a 6/12/09 memorandum from Township Engineers McCormick Taylor that the Township Solicitors work with McCormick Taylor to craft for consideration an ordinance supporting the posting of the bridge on Hess Mill Rd. for 25 tons except Combinations @ 35 tons. Motion passed unanimously.

- d. Certificate of Appropriateness (COA) for Walker Rd.: Mr. Whipple moved, seconded by Mr. Brindle, to follow the recommendation of the Franklin Township HARB and grant a COA for work proposed on a dwelling at 100 Walker Rd. Motion passed unanimously.
- e. Municipal Waste Management Plan Resolution 2010-07: Mr. Whipple moved, seconded by Ms. Latimer, to recommend adoption of Resolution 2010-07 advocating ratification of the Chester County Municipal Waste Management Plan Revision dated June 2009. Motion passed unanimously.
- f. Agricultural Security Area (ASA) Application: Mr. Whipple moved, seconded by Ms. Latimer, to accept an application from Downs Land Management LLC for the modification of the Franklin Township ASA via the addition of the following three parcels: 72-2-6.2A, 25.5 acres; 72-2-6, 31.9 acres and 72-2-5.2, 9.1 acres, owned by Downs Land Management LLC. Motion passed unanimously.

Public Comment: No public comment.

Adjourn: The meeting was adjourned at 10:03 p.m.

Respectfully submitted,

Sharon Norris
Township Secretary

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