

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS MINUTES FEBRUARY 17, 2010

Call to Order:

Chairman Richard Whipple called the meeting to order at 7:11 p.m. Present were Supervisors Brindle, Overton, and Hughes. Also present were Solicitor Mark Thompson, Assistant Township Mgr. Jeff Eastburn, Township Secretary Sharon Norris, Planning Commission Chairman Ralph Olivier, and Open Space Committee member Phil Geogegan. There were 3 members of the public in attendance.

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

Public Comment: Mr. Whipple advised Mr. Charlton that he will have the opportunity for public comment related to his request for escrow release when that agenda item is discussed.

Approval of Minutes:

- a. January 20, 2010: Mr. Whipple moved, seconded by Mr. Brindle, that the Board approve the January 20, 2010 Minutes as presented by the Township Secretary. Motion carried unanimously.

Mr. Overton requested a revision to the "Reforestation To Do List" which, although not part of the minutes, was created as a result of the reforestation discussion at the meeting. Ms. Norris will follow through on his request.

- b. Mr. Whipple moved, seconded by Mr. Hughes, that the Board approve Resolution 2010-09, regarding the Disposition of Records. Motion passed unanimously.

Reports:

- a. Treasurer's Report: Mr. Whipple moved, seconded by Mr. Overton, to approve the January 2010 Treasurer's Report as presented by the Township Treasurer, including disbursements and transfers from the General Fund totaling \$53,452.91; the Park & Rec Fund totaling \$4,380.73; the Open Space Fund totaling \$84,042.02; the Traffic Impact Fund – East totaling \$11,700; the Emergency Services Fund totaling \$3,716.99; and, the Fire Hydrant Fund totaling \$339.30. Total balances in all funds as of 1.31.10 equal \$2,149,602.58. Motion passed unanimously.
- b. Solicitor's Report: No report.

APPROVED

- 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 \$3,176.85, and 13 various building inspections were completed.

Planning & Zoning:

- a. Planning Commission Report: Chairman Olivier reported that the Planning Commission did not meet in February.
- b. HARB/Historical Commission Report: Since there were no applications for COAs, the HARB did not meet in February.

Escrow Release:

- a. Charlton Release #3: The applicants, Debbie and Vaughn Charlton, were present on behalf of their request of February 12, 2010 for escrow release #3 in the amount of \$48,248.85. John Theisen of LTL Consultants, reviewed their request on behalf of the Township. Based on Engineer Theisen's on-site observations during construction, he recommended the release of \$9,358.80 and listed the reasons for the reduced amount in his letter to the Township dated February 15, 2010. Mr. & Mrs. Charlton went over each of the items listed and provided their views on each, as well as their overall observations and opinions regarding the site improvement escrow process.

Mr. Whipple moved, seconded by Mr. Brindle, to approve Escrow Release #3 for the Vaughn Charlton Land Development Plan in the total amount of \$12,833.80 (consisting of \$9,358.80 as indicated in LTL's 2/15/10 letter; \$2,200 for pole lights; \$525 for wall lights; and \$750 for easement dedication), with a conditional release of an additional \$2,200 for pole lights, and \$525 for wall lights, if and when, before the next BOS meeting, Township Engineer John Theisen conveys directly to the Township, that the light fixtures warrant such a release. Motion passed unanimously.

Extensions:

- a. Woods Edge: Mr. Whipple moved, seconded by Mr. Hughes, to accept a request from the Woods Edge subdivision developers and grant an extension of time through August 30, 2010 for the developers to execute agreements and post financial security as specified in the conditional approval for that subdivision. Mr. Hughes asked for clarification on the length of the extension. The motion passed unanimously.
- b. Brothers Property Request for Withdrawal: Mr. Whipple moved, seconded by Mr. Hughes, to honor the request dated 1/27/10 from a representative for the applicants for the Brothers subdivision, to completely withdraw their application for final subdivision of tax parcel 72-5-6.3, located on the east side of S. Guernsey Road. The effect of honoring this request being that any future

APPROVED

attempt to subdivide this parcel will likely need to commence and proceed as a new subdivision application. Motion passed unanimously.

- c. Mr. Whipple moved, seconded by Mr. Brindle, to accept requests from the following applicants and grant extensions as listed for the applicable subdivision applications:
- Abel Property – September 16, 2010
 - Logan – June 30, 2010
 - Christens – June 30, 2010
 - Fisher – June 30, 2010
 - Davis – June 30, 2010

Motion carried unanimously.

New Business:

- a. Ordinance 2010-01 – Hess Mill Rd. Bridge Restriction and Guernsey Road Truck Restriction:

Mr. Whipple moved, seconded by Mr. Brindle, to adopt Ordinance No. 2010-01 restricting vehicle weight on Hess Mill Rd. Bridge and restricting truck traffic on a portion of S. Guernsey Road. Motion carried unanimously.

- b. Bid Awards: Following the appropriate advertising for receipt of and public opening of bids, at the recommendation of Asst. Township Mgr. Eastburn, Mr. Whipple moved, seconded by Mr. Hughes, to award the contract for 2010 Roadside Mowing to Mt. Rocky Trucking, the lowest responsive bidder, at the amount of \$18,275.00 for the quantities that were specified for purposes of bid evaluation. Motion carried unanimously.

Following the appropriate advertising for receipt of and public opening of bids, at the recommendation of Asst. Township Mgr. Eastburn, Mr. Whipple moved, seconded by Mr. Hughes, to award the contract for 2010 Park & Township Office Mowing to Yardworks, the lowest responsive bidder at the amount of \$11,577.12 for the quantities that were specified for purposes of bid evaluation. Motion carried unanimously.

Following the appropriate advertising for receipt of and public opening of bids, at the recommendation of Asst. Township Mgr. Eastburn, Mr. Whipple moved, seconded by Mr. Hughes, to award the contract for 2010 Park Weed & Feed Program to Windview, Inc., the lowest responsive bidder, at the amount of \$15,803.00 for the quantities that were specified for purposes of bid evaluation. Motion carried unanimously.

- c. Twin Bridges – Trails: Mr. Phil Geoghegan reported on the status of his pursuit of a way to connect Franklin Township's trails with trails in London Grove and New Garden Townships. As part of this effort he approached the Home Owners Association (HOA) of the Twin Bridges Development to discuss the possibility of an easement on their property for the continuation of the trail network. In a memorandum to Mr. Geoghegan dated January 2, 2010, the HOA officers

APPROVED

expressed several concerns, including the privacy of the residents and the potential for liability of the HOA. They stated that they see no value to the trails and would require full legal indemnification from the Township as well as tangible benefits such as road repair and snow removal. Due to their concerns, they did not bring the proposal to the full HOA membership. Mr. Geoghegan advised that there are a couple of individual landowners who would allow trails through their property. The Board suggested that the HOA might consider deeding over a small piece of land for the trail and the Solicitor said this could possibly be interpreted as a donation to open space. Mr. Geoghegan advised that he will write to the officers of the HOA and confirm their position on the easement. If it seems appropriate he will revisit the HOA at a later date and present other options.

Recognition of Mr. Eastburn: Mr. Whipple recognized the outstanding efforts of Mr. Eastburn to clear Township roads during the recent storms. He stated that the Township has received many favorable comments from residents.

Public Comment: No public comment.

Adjourn: The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Sharon Norris
Township Secretary

BOS 2.17.10.v.1.er