

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS MINUTES OCTOBER 19, 2011

Call to Order:

Chairman Latimer called the meeting to order at 7:02 p.m. Present were Supervisors Hughes, Overton, Skalish and Brindle. Also present were Solicitor Mark Thompson, Assistant Township Mgr. Jeff Eastburn, Municipal Secretary Sharon Norris, Planning Commission and HARB Chairman Ralph Olivier. There were approximately 20 members of the public in attendance.

Announcements: Ms. Latimer announced that there will be an Executive Session following tonight's meeting to discuss personnel matters.

Public Comment: There was no public comment.

Approval of Minutes:

- a. September 21, 2011: Ms. Latimer moved, seconded by Mr. Skalish, that the Board approve the September 21, 2011 Minutes, version 2, as submitted by the Municipal Secretary.

Motion passed unanimously.

- b. Resolution 2011-31: Ms. Latimer moved, seconded by Mr. Hughes, that the Board approve Resolution 2011-31, regarding the Disposition of Records for the Board of Supervisors Meeting of September 21, 2011 and the Planning Commission Meeting of September 1, 2011. Motion passed unanimously.

Reports:

- a. Treasurer's Report September 2011: Ms. Latimer moved, seconded by Mr. Overton, that the Board approve the September 2011 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$109,022.72; the Park & Recreation Fund with disbursements of \$6,749.25; the Open Space Fund with disbursements of \$13,410.17; Emergency Services Fund with disbursements of \$20,147.49; Fire Hydrant Fund with disbursements of \$399.30 leaving a balance in all funds totaling \$3,166,615.27.

Discussion: Ms. Latimer explained that the disbursements from the Emergency Services Fund were higher than normal due to the annual payment to West Grove Fire Co.

The motion passed unanimously.

- b. Solicitor's Report: No report.

- c. Zoning Officer Bldg. Inspector Report: Mr. Eastburn summarized the Zoning Officer's Report for the period of August 29 to September 28, 2011, which included the issuance of 7 permits totaling \$2,260.75. There were 22 various building inspections conducted.

Planning & Zoning:

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- a. Planning Commission Report: Mr. Olivier, Chairman of the Planning Commission, stated that the Planning Commission met on October 6, 2011 and discussed the Jeffcoats sketch plan which was the only agenda item.
- b. HARB/Historical Commission Report: Mr. Olivier reported that the HARB did not have any business to discuss and therefore did not meet in October.

Extensions: Ms. Latimer moved, seconded by Mr. Brindle, to accept the extension requests for the following projects:

- Abel Property to March 21, 2012;
- Sarana to January 30, 2012;
- Christens Property to January 30, 2012.

Motion passed unanimously.

New Business

Wyndemere Subdivision: Regarding the bankruptcy proceedings for the Wyndemere subdivision, Mr. Hughes announced that, through the efforts of the Township, 11 of the 41 proposed houses in the subdivision have been eliminated and approval has been received for a trail through the development.

- a. Horses in the Park: Ms. Latimer moved, seconded by Mr. Brindle, to modify the rule that indicates "no horses", initially established by the Elwood L. Crossan Park Committee, to instead state that horses may enter the park; however, the riders must remain on the grassy areas and trails and must refrain from walking on the playing fields. The horses must remain under the control of their riders. Motion passed unanimously.
- b. Resolution 2011-32 Designation of Agent – Hurricane Irene/Tropical Storm Leo: This Resolution is part of the required paperwork being prepared by Joan McVaugh to assist the Township in seeking state and federal financial assistance as a result of the hurricane and tropical storm. Ms. Latimer moved, seconded by Mr. Overton, to approve Resolution 2011-32, a Designation of Agent Resolution, in furtherance of Franklin Township's efforts to seek state and federal financial assistance for the mitigation efforts associated with Hurricane Irene and Tropical Storm Leo. Motion passed unanimously.
- c. Bid Awards – Interim Road & Maintenance & Snow Removal: Assistant Township Mgr. Jeff Eastburn advised the Board that the bids were duly advertised in the Daily Local News on September 15th and September 22, 2011. Yardworks, Inc. was the lowest responsible bidder having submitted all of the required information in a timely manner. Mr. Eastburn recommended that the Board award the 2011-2012 Interim Road Maintenance Service Bid as well as the 2011-2012 De-icing and Snow Plowing Service Bid to Yardworks, Inc. Ms. Latimer moved, seconded by Mr. Hughes, that the Board of Supervisors award the 2011-2012 Interim Road Maintenance Bid and the 2011-2012 De-icing & Snow Removal Bid to Yardworks, Inc., the sole responsible bidder for these projects.
Discussion: Ms. Latimer noted that Yardworks has provided these services in the past and has done a very good job and there have been very few complaints from residents.

Motion passed unanimously.

- d. Natural Lands Trust/Echo Hill/McMaster Contract/Agreement: Ms. Latimer moved, seconded by Mr. Overton, to authorize the chairman to sign the Agreement between

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M.P.F Partnership, R.W.A. Limited Partnership, Natural Lands Trust known as NLT, and Franklin Township, for the acquisition of a Conservation Easement on the Echo Hill/McMaster property contingent on the approval of the November 8th referendum.

Discussion: Ms. Latimer advised that it is a 125 acre property located in Kemblesville that runs from behind the Sunoco Station to Good Hope Road and back to Thompson Estates. There is a subdivision plan into the Township for more than 250 townhomes and houses and some commercial. It is zoned high density. She noted that the agreement has been executed by the partners and NLT and she hopes to sign it on behalf of the Township later this week. Motion passed unanimously.

Public Comment: Penny Schenk, Republican candidate for the Township Board of Supervisors, read from a prepared statement, which she requested be included in the minutes, as follows:

As documented in the Franklin Township Board of Supervisors minutes, dated September 13, 2006 and November 14, 2007 and also the September 20, 2006 edition of the Chester County Press, Supervisor Norman Hughes, along with then supervisors Dick Whipple and Teddy Price approved rezoning of the Echo Hill/McMaster parcels forming a Traditional Neighborhood Development or TND. In doing so they overrode existing ordinances and zoning allowing 4 to 5.5 dwelling units per gross acre. Supervisor Hughes voted in the majority 3-2 decision to allow developers to build the now, suddenly alarming, 251 housing units on these Township parcels. Despite loud public opposition and the principal dissent by the two supervisors who voted "no" to this increase in housing per acre, the 3-2 vote put us in the predicament we find ourselves in today. Dick Whipple was the Chairman of the Board in 2006 and he drove this proposal towards completion. Now Mr. Whipple, as the self-appointed spokesman for Franklin Township is using his so-called Franklin Township Update as a vehicle to further his agenda. He has falsely accused my running mate John Auerbach and myself of being pro-development and has charged us with the very behavior he and Supervisor Hughes have displayed. Franklin Township's Open Space Program has spent millions of dollars on parcels and easement which are not zoned high density. If the justification for Franklin Township's Open Space Program is to limit the number of homes and infrastructure repairs as well as reduce traffic and school taxes as claimed, then the Banffshire, White Clay Crescent and Goodwin Preserves should not have been purchased. Now the very people who are responsible for creating the situation we find ourselves in are looking to the voters for a bailout. In May the voters spoke, and the answer was "no". Our volatile and uncertain economy does not support the push for increased taxes and more debt. Thank you.

John Auerbach, Republican candidate for the Board of Supervisors, stated that he supports and agrees with the statement made by Penny Schenk and that the BOS needs to wake up and pay attention to what the voters spoke in May regarding the results of the referendum.

Adjourn: The meeting was adjourned at 7:21 p.m.

Respectfully submitted,

Sharon Norris,
Township Secretary

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