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# FOR APPROVAL

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## FRANKLIN TOWNSHIP BOARD OF SUPERVISORS' MINUTES January 20, 2021

### **Call to Order:**

Chairman Mary McVeigh called the meeting to order at 6:59 p.m. In attendance via ZOOM meeting were Vice Chair Gerstenhaber, Supervisors Auerbach, Dea, and Morris. Also, in attendance on behalf of the Township were Solicitor Mark Thompson, Township Manager/Treasurer Joan McVaugh, Township Assistant Manager Jeff Eastburn and Secretary Mary Opromolla. There were seven members of the public in attendance.

The meeting began with the Pledge of Allegiance to the Flag.

**Public Comment:** Resident Jack Kuszyk, who represents the Crossan Park Pickle Ball league, requested 2 new Pickle Ball Courts in Crossan Park. He agreed to reach out to discuss any additional suggestions for court plans with Assistant Manager Jeff Eastburn as well as with the PRO Board.

### **Approval of the Minutes:**

- a. *Board of Supervisors (BOS) Minutes of December 16, 2020:* Supervisor Gerstenhaber moved, seconded by Supervisor Morris, that the Board approve the December 16, 2020 v.1 Minutes, as submitted by the Township Secretary. Motion was approved 5-0.

### **Reports:**

- a. *Treasurer's Report for December 2020:* Supervisor Morris moved, seconded by Chair McVeigh, that the Board approve the December 2020 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$454,586.11; the Park and Recreation Fund with disbursements of \$2,546.84; the Open Space Fund with disbursements of \$6,553.17; the Capital Reserve Fund with disbursement of \$48,641.36; Emergency Services Fund with disbursements of \$64,880.07; and the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$700,712.80. Motion was approved 5-0.
- b. *Zoning Officer Report:* Supervisor Auerbach reported that 15 permits were issued, and 31 building inspections were performed in December 2020: \$1,422.04 was collected in Building Fees, \$667.41 collected in Impact Fees; and \$2,725.00 in Miscellaneous Fees. There are four on-going zoning issues. Two related to bamboo overgrowth with a second notice of violation sent out in December. The third was an on-going high grass issue and the fourth concerns 3327 Appleton Road.
- c. *Planning Commission (PC) Report:* PC member, Dave Gerstenhaber summarized the January 7, 2021 meeting. The PC elected their officers: Dave Hoffman for Chairman, Mark Harris for Vice Chair, John Gontarz for Secretary. They also welcomed a new member, Matt Goin. The PC continued the discussion of the sketch plans for the auto repair shop on 1691 New London Road property. The owners agreed to return with a preliminary-final plan. The PC discussed the General Codes and Ordinance review. They will review Chapters 22 (Land Development & Subdivision) & 27 (Zoning Ordinance) and identify any changes for consideration by the Board of Supervisors.
- d. *HARB/HC Reports:* Mr. Lagasse reported on the combined meeting of the HARB and Historical Commission that took place on January 5, 2021. The following officers were elected to the HARB: Paul Lagasse for Chairman, Lou Mandich for Vice Chair, and no Secretary appointed, Paul Lagasse will be acting Secretary until someone is appointed. The following officers were elected to the HC: Paul Lagasse for Chairman, Nan Latimer as Vice Chair, and Sara Kohut as Secretary. The

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discussions included the Historic Resource Map, which is now complete. The HC is currently researching the Church Hill Cemetery. They want to identify if there is an owner of the cemetery so they can proceed with plans to have Township volunteer's clean-up the area. The HARB reported on the 3327 Appleton Road property and the neglect issues with the owner of the property. The HARB will report their recommendations to the BOS regarding the owner's request for demolition with an official report. The BOS will then need to make the final decision on the owner's request.

- e. *The Park, Recreation and Open Space (PRO) Board* – Chair Greg Sachs gave a brief update on the January 6<sup>th</sup>, 2021 Meeting. Numerous projects include: the healing garden, new trails, bike racks, and obtaining estimates for the tennis and pickle ball courts. The PRO is hoping to provide more information on estimates at next month's BOS meeting. Paul Overton discussed a possible new Open Space project that the PRO Board endorsed on Auburn Road. The owner who was interested in preserving the property has reached out and is working with Natural Lands Trust for assistance with funding a land easement. An appraisal is needed before the Grant process can move forward. The PRO requested that the board approve \$3,000.00 for the land appraisal. Chair McVeigh made a motion, seconded by Supervisor Morris to approve the funding for the appraisal for the Auburn Road property. Motion was approved 4-1, with Supervisor Auerbach voting nay. He believes the homeowner should pay for the appraisal.
- f. *Comprehensive Plan (Comp Plan)*- Supervisor Morris reviewed the agenda for the January 26, 2021 meeting which will begin at 6:30 pm. Manager McVaugh encouraged the community to attend the meeting via ZOOM. It will be a follow up to the previous Community Workshop meeting. Meeting information can be found on the Franklin Township website. The agenda includes: Kemblesville Village Enhancements, Agricultural Retention, Trail and other Pedestrian Connections, Resource Protection as a Green Infrastructure, Roads and Other community Infrastructure, and Future Land Use.
- e. *FSA Report*: Jim German updated the Board regarding the FSA activities. There are 35 members of the FSA who harvested 14 deer. Deer hunting season ends Saturday, January 23<sup>rd</sup>. The FSA provided a local family with Christmas gifts and other items totaling \$400. In addition, \$250 was donated to the local Scout Troup. The FSA is working with the PRO and Jeff Eastburn to update the volunteer release forms; they should be finalized soon.

### **Business:**

- a. *Elected Auditors* - Vice Chair Gerstenhaber motioned, seconded by Supervisor Auerbach, to accept the resignation of the Franklin Township Elected Auditor, Larry Elliot Jones. Larry is no longer a resident of Franklin Township. Motion passed 5-0.
- b. *Elected Auditors* – Supervisor Auerbach motioned, seconded by Supervisor Dea, to appoint Phillip Reed as the Franklin Township Elected Auditor. Motion passed 5-0.
- c. *3327 Appleton Road* – Solicitor Mark Thompson gave an update on the current status of 3327 Appleton Road. The owner has contested a recent court decision, which will be heard on January 26<sup>th</sup>, 2021 at the Court of Common Pleas, Criminal Division. Given the current situation, Solicitor Thompson suggested the Board consider the use of the Blight Act. This would authorize the solicitor to petition the court for a Conservatorship for 3327 Appleton Road. He believes this property meets all the requirements for a Conservatorship. The Board wants to act because it is concerned about the safety of the community. Concern was also expressed regarding the unknown costs to repair the house if the petition is granted. The Conservator will be required to make the property safe and can enforce liens on the property for any expenses

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incurred by the conservator. Once the property is sold the money will be returned to the Township.

Supervisor Morris made a motion, seconded by Vice Chair Gerstenhaber, to approve ~~the~~ **Resolution 2021-06** to authorize the Township Solicitor to draft a petition and file it with the Court of Common Pleas for the Conservatorship to the property on 3327 Appleton Road. The motion passed 3-2 with Supervisors Dea and Auerbach voting nay because of the unknown costs associated with the conservatorship and inability to control when the property will be sold, and the money returned to the township.

- d. Lexington Pointe – Solicitor Mark Thompson provided a brief update to Lexington Pointe. AECOM has approved the updated documents and the Township will submit the amended permit to DEP.
- e. Township Part-time Secretary – Manager McVaugh gave an update on the interview process. The interviews are complete, and the office personal have agreed on a candidate. Manager McVaugh will make an offer this week to the applicant and plans to have her start as soon as possible.
- f. Boards Review on Ordinances – Manager McVaugh outlined the status of 3 ordinances:
  - a. Solar Ordinance –The Board agreed to review the original document before returning it to the PC and to provide comments regarding the areas they would like addressed:
    - i. Square footage verses kilowatts.
    - ii. Escrow for removal of large solar structures.
    - iii. Stormwater requirements.
  - b. PA Bidding Limits – Manager McVaugh is suggesting that the Board approve changes to the current Franklin Township Purchasing Procedure to align with and reference PA’s requirements for the Department of Labor & Industry Guidelines under Act 90 of 2011. This will ensure that Franklin Township’s purchasing procedures will always align with the State’s guidance even as it is updated. The Board agreed with the proposal and ask Manager McVaugh to create a motion for the next BOS meeting.
  - c. Conditional Use Ordinance – The Board discussed changing the \$1,500.00 Conditional Use Fee to include an escrow account so that residents requesting a conditional use pay \$500 and then only the amount of money actually spent to support a conditional use request. Any money not spent is returned to the resident. Depending on the complexity of the project, the cost for a conditional use request could be greater than \$1500. Solicitor Thompson agreed to draft an ordinance for the board’s consideration.

**Public Comment:** No comments.

**Adjourn:** The meeting was adjourned at 9:27p.m.

Respectfully submitted,

Mary Opromolla  
Township Secretary