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# FOR APPROVAL

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## FRANKLIN TOWNSHIP BOARD OF SUPERVISORS' MINUTES September 15, 2021

### **Call to Order:**

Chairman Mary McVeigh called the meeting to order at 7:00 p.m. In attendance via ZOOM meeting were Vice Chair Gerstenhaber, Supervisors Auerbach, and Dea and Morris. Also, in attendance on behalf of the Township were Solicitor Mark Thompson, and Township Secretary Mary Opromolla. There were 5 members of the public in attendance.

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

**Public Comment:** There were no public comments.

**Announcements:** There was an Executive Session held on Friday September 3, 2021 to discuss personnel.

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

- a. *BOS Meeting Minutes August 18, 2021:* **Motion:** Supervisor Dea moved, seconded by Supervisor Auerbach that the Board approve Version 1 of the August 18<sup>th</sup>, 2021 Meeting Minutes. Motion was passed 3-2 with Chair McVeigh and Supervisor Morris opposing the motion.

### **Reports:**

- a. *Treasurer's Report for August 2021:* **Motion:** Vice Chair Gerstenhaber moved, seconded by Supervisor Dea, that the Board approve the August 2021 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$121,566.84; the Park and Recreation Fund with disbursements of \$10,744.50; the Open Space Fund with disbursements of \$6,098.75; the Capital Reserve Fund with disbursements of \$26,744.00; the Emergency Services Fund with disbursements of \$596.00; and the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$1,809,129.40. Motion was passed 5-0.
- b. *Zoning Officer Report:* Supervisor Morris reported that 10 permits were issued, and 9 building inspections were performed in the month of August 2021: \$9,285.13 in Building Fees, 4,850.00 in Miscellaneous Fees and \$18,331.80 in Recreation, Open Space, Impact Fees were collected. One bamboo zoning issue from the previous month has been remediated. Open issues include: burning trash with noxious fumes (409 Chesterville Road), storage issues (15 Kimbelot Lane), and debris from the driveway (Pennock Bridge Road).
- c. *Planning Commission (PC) Report:* The PC meeting for September was canceled.
- d. *Historical Architectural Review Board (HARB)/Historical Commission (HC) Reports:* The HARB/HC held a meeting on September 7<sup>th</sup>, 2021. The HARB/HC is reviewing township ordinances regarding the Historic District for consistency. This exercise will continue at the next meeting. Any revisions will be forwarded to the BOS for review. The Chester County Historic Preservation Network Fall Series discussions are open to the public starting September 11<sup>th</sup> through October 2<sup>nd</sup>. The talks can be found on the web under CCHPN.org. The Oxford Historical Society is also having discussions that are available at the Oxford Area Historical Association's website.

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- e. *The Park, Recreation and Open Space (PRO) Board:* The PRO did not hold a meeting in September. Chairman Greg Sachs provided an update on the PRO's progress with the Healing Garden. The Franklin Sports Association (FSA) has completed the prep work for the garden. The planting will start in the Spring 2022 with support from Red Tail Restoration and volunteers. Supervisor Auerbach had questions regarding peeling of the new surface on the tennis courts. The Township Manager will follow up with the contractors. The FSA is posting signs in all parks notifying the public of the 2021-22 Hunting Season. There are 35 total members with 2 new members. Resident Paul Overton notified the BOS of cleanup activities in the park including trail maintenance work and the possibility of two new Eagle Scout projects Paul is meeting with the scouts to discuss possible projects. If anyone has a suggestion for a new project, please let the PRO know.
- f. *Comprehensive Plan (Comp Plan):* The Comp Plan team held a meeting on September 24<sup>th</sup> to discuss "Roads and other Community Infrastructure". The target is to finalize the report for the Comp Plan by March 2022.

### **Business:**

- a. *The 2021 Road Program:* The Board reviewed the updated the spreadsheet from Ron Ragan on the prep work that was completed by Yardworks. Replacement pipe work has been installed for Duncan and Cavender Lane. The Road Program work with Long's Paving will start the end of this month and should be completed by the end of November - weather permitting.
- b. *West Grove Fire Company with Neil Vaughn:* Neil Vaughn of the West Grove Fire Company (WGFC) updated the BOS on the 2022 budget for the Fire Company. The budget takes into consideration the updated numbers of FT residents based on the 2020 Census. The contribution from each township served by WGFC is based on a funding formula calculation that comprises 1/3 service calls, 1/3 population and 1/3 assessment value from each Township. Operation cost have increased for WGFC, and these increases are reflected in a 3.5% increase in FT's contribution.
- c. *Vision Partnership Program/Mason Dixon Line with Sheila Fleming:* Sheila Fleming of the Brandywine Conservatory updated the BOS on the progress with the Mason Dixon Arch Corner Heritage Interpretation and Conductivity Plan initiative. London Britain Township is the lead municipality for the Vision Partnership Program grant proposal in partnership with Franklin, Elk, and New Garden Townships. The Plan will provide recommendations for narratives associated with four Heritage Centers, one in each participating municipality, which will be publicly accessible. The Plan will also recommend narratives for other significant natural, historical, and cultural Interpretive Sites. Once the Heritage Centers and other interpretive locations are defined, the task force and consultants will identify the driving route that visitors will be encouraged to follow to gain the most benefit from the interpretive facilities. This will provide residents and visitors with an option to learn about the history of the region in local parks and along trails. **Motion:** Vice Chair Gerstenhaber moved, seconded by Supervisor Morris that the BOS agree to support this project and sign the letter of commitment to provide \$5,000.00 to support the Mason Dixon Arch Corner Heritage Interpretation and Conductivity Plan Initiative, contingent on the neighboring Townships' commitment supporting the plan. Motion passed 5-0.
- d. *Crossan Park Activities:* Chair McVeigh updated the BOS on planned activities for Crossan Park. The Township has scheduled a movie night on October 1<sup>st</sup> with a rain date on October 2<sup>nd</sup>. The Community/First Responders Appreciation Day is planned for May 14, 2022, with a rain date of May 21, 2022. There is Trunk or Treat activity planned for the Saturday before the Halloween. Information can be found on our Township website.

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- e. Township Manager/Treasure Role – **Motion:** Supervisor Morris moved, seconded by Chair McVeigh to terminate the relationship with the current Township Manager/Treasure. No Discussion. Motion passed 5-0.  
**Motion:** Supervisor Morris moved, seconded by Vice Chair Gerstenhaber that the Board appoint Assistant Township Manager Jeffery Eastburn as Acting Township Manager. Motion passed 5-0
- f. Green Energy Alternative Ordinance: Supervisor Dea provided an update on the progress of the Green Energy Alternative Ordinance. Supervisor Dea reviewed the revisions from Township LTL Engineer Pete Eisenbrown. Supervisor Dea recommended that the ordinance be sent to the Planning Commission (PC) for a one meeting final review to identify any gaps. **Motion:** Supervisor Auerbach moved, seconded by Supervisor Dea, to send the final version of the Green Energy Alternative Ordinance to the PC. No further discussion. Motion passed 4-1 with Supervisor Morris opposing.
- g. Traffic Calming Policy **Motion:** Supervisor Morris moved, seconded by Supervisor Dea to implement **Resolution NO. 2021-13** to approve and adopt the Traffic Calming Policy. Discussion: This policy includes a process for reviewing requests from the residents for a change to a road as well as a process for assessing the residents’ feedback on the proposed solution. Both steps would require demonstration of residents’ support via a signed petition. Motion passed 5-0.
- h. Hybrid Meeting: Vice Chair Gerstenhaber gave an update on the progress to support video conferencing from the FT conference room. There is a delay in the implementation due to a delay in obtaining the necessary equipment. The hybrid meetings may be able to start at the end of October/beginning of November. The Township will continue to have virtual meetings until the hybrid meetings can be implemented.
- i. 3327 Appleton Road Update: Solicitor Mark Thompson indicated that the property owner filed a brief regarding the township’s denial of a Demolition Certificate of Appropriateness for the property on Appleton Road. Solicitor Thompson will share the brief with the BOS for review and discussion. He has filed the Township’s record of evidence supporting the township’s denial of the Demolition Certificate. Arguments will take place in November in the Court of Common Pleas.
- j. Lexington Pointe Update: Solicitor Thompson discussed the next steps for finalizing the agreement for building the wastewater treatment facility (WWTF). He is working with LTL to provide the details on the financial security bond which needs to be completed before the Township can issue a building permit for the WWTF. Jeff Rutt of the Lexington Pointe Development company attended the meeting and stated he is willing to sign the agreement. Solicitor Thompson indicated that certain Exhibits need to be finalized so the agreement can be finalized. He will ask LTL to complete their review including an assessment of costs so that the agreement can be finalized. Lexington Pointe would like to add drip tubing for the planned Wastewater Treatment Plant. The Township will contact LTL to discuss the grading and building permits.
- k. The 2022 Preliminary Budget Review and General Code Review - Both topics are being pushed to next month’s meeting.

**Public Comment:** Resident Paul Overton made the Township aware that Gourmet Mushroom dumped wastewater into the Indian Run water stream. DEP was called but was not able to respond until the next day. Four residents were present to witness the dumping.

**Adjourn:** The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Mary Opromolla  
Township Secretary