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## FRANKLIN TOWNSHIP BOARD OF SUPERVISORS' MINUTES December 19, 2018

### **Call to Order:**

Chairman Auerbach called the meeting to order at 7:04 p.m. In attendance were Supervisors Dea, Morris, Snyder and Torres. Also in attendance were Township Solicitor Mark Thompson, HARB/HC Chairman Paul Lagasse, Manager/Treasurer Joan McVaugh and Secretary Sharon Norris. Natasha Manbeck from McMahon Engineering was present and will speak to the Board regarding options for the Township's Historic District. There were approximately 13 members of the public present.

The meeting was commenced with the Pledge of Allegiance to the Flag.

**Public Comment:** There was no public comment.

### **Approval of Minutes:**

- a. BOS Minutes of November 14, 2018: Supervisor Morris moved, seconded by Supervisor Dea, that the Board approve the November 14, 2018 meeting minutes as presented by the Township Secretary. Motion passed 5-0.
- b. Disposition of Records – Resolution 2018-23: Mrs. Dea moved, seconded by Mr. Snyder, that the Board approve Resolution 2018-23 regarding the Disposition of Records for the Board of Supervisors Meeting of November 14. Motion passed 5-0.

### **Reports:**

- a. Treasurer's Report for November 2018: Chairman Auerbach moved, seconded by Mr. Torres, that the Board approve the November 2018 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$110,329.24; the Park & Recreation Fund with disbursements of \$12,290.79; the Open Space Fund with disbursements of \$6,768.42; the Highway Aid Fund with disbursements of \$78,712.17; the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$918,472.28.  
**Discussion:** Supervisor Morris inquired about the Stoltzfus easement payment and Supervisor Torres noted that the date in the heading on pg. 30 should be "November". Motion passed 5-0.
- b. Zoning Officer's Report: Mr. Snyder reported that during the month of October, 5 permits were issued and 23 building inspections were completed. Building fees collected were \$1,498.64; Recreation, Open Space & Impact Fees collected were -0-; and miscellaneous fees collected were \$860.00. There were 6 zoning issues reported and Manager McVaugh updated the Board as follows: 207 Highland Dr. has agreed to bring the fence into compliance by the end of the year; 1651 New London Road will be going to the Zoning Hearing Board for a change of use; 3327 Appleton Road has secured a continuance and the Zoning Officer has sent another violation letter; 223 Highland Drive has resolved their water issue and the Township is waiting for confirmation from Hillcrest; 1620 New London Road the owner will apply for a Use and Occupancy Permit and Jeff Vogels will send a follow-up letter; 206 Fox Run Road the Zoning Officer contacted the Bank's maintenance company and requested that the structure be demolished. The entire report is on the Township website at [www.franklintownship.us](http://www.franklintownship.us).

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Supervisor Torres questioned an item on the AECOM report regarding the telephone line on the Lexington Point sewage facility. Mgr. McVaugh confirmed that it was for the automatic dialer and will follow up with Sandi Morgan.

- c. Planning Commission Report(PC): Supervisor Torres advised that the PC did not meet in December.
- d. HARB/HC Report: Chairman Lagasse reported that only the HARB met in December to consider a COA application for storm doors at 3313 Appleton Rd. They also discussed Training Opportunities and traffic on 896.
- e. FSA Report: Mr. Bob Macknis provided the FSA Report. Archery and shotgun starts again on December 26th thru January 26th. Five buck and 4 doe were taken from the Franklin Preserve, 1 buck and 3 doe from the White Clay Crescent Preserve and 2 doe from Banffshire. Total of 15 deer harvested. The FSA has provided a total of 124 hours of community service to the Township from July – December. As they have done in previous years, the members have contributed money to adopt a needy family in the area, providing food and gifts for Christmas.

### **Business:**

- a. HARB Certificate of Appropriateness (COA) for storm doors at 3313 Appleton Road: Supervisor Morris moved, seconded by Chairman Auerbach, that, based on the recommendation of the HARB, the Board grant a COA for storm doors at 3313 Appleton Road. The project is in compliance with the applicable Secretary of the Interior's standards and the proposed work is in keeping with the current appearance of the structure and appropriate to the structure and will preserve the historical character of the structure.  
Motion passed 5-0.
- b. Avon Grove Charter School Escrow Release #2: Mrs. Dea moved, seconded by Mr. Snyder, that, based on the recommendation of the Township Engineer in his December 11, 2018 letter, the Board authorize Escrow Release #2 for the Avon Grove Charter School in the amount of \$435,084.07, leaving a balance in their Letter of Credit of \$107,833.71. Motion passed 5-0.
- c. Resolution 2018-24 – Fire Service Designation: This Resolution, requested by Chester County Department of Emergency Services, specifies West Grove Fire and Ambulance Company and Avondale Fire and Ambulance Company as the Township's fire and ambulance providers; Medic 94 as the Township's advanced life support provider; and Harold Walls as the Township's Emergency Management Coordinator. It further confirms that the Board of Supervisors has reviewed and adopted the Franklin Township Emergency Operations Plan and the National Incident Management System as a common operating practice. Mr. Auerbach moved, seconded by Mr. Torres, that the Board adopt Resolution 2018-24 providing the methods and agencies chosen to fulfill the public safety needs of the Township. Motion passed 5-0.
- d. Resolution 2018-25 – 2019 Final Budget Approval: Supervisor Snyder moved, seconded by Mrs. Morris, that the Board adopt Resolution 2018-25, adopting the 2019 Final Budget. Motion carried 5-0.
- e. Resolution 2018-26 – Tax Levy Resolution: This Resolution sets the Township tax rates for 2019. The total tax rate will remain the same as 2018. However since the Park loan will be paid off in early 2019, the distribution of funds to the Park is changing from .27 mills to .20 mills and the extra .07 mills will go into the General Fund. The Board intends to authorize some much needed maintenance at the Park, including updating the restrooms. Mr. Torres moved, seconded by Mr. Snyder, that the Board adopt Resolution 2018-26, the Tax Levy Resolution, setting the tax rates for 2019. The overall tax rate remains the same as 2018. The Motion passed 5-0.

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- f. Resolution 2018-27 – Fire Hydrant Resolution: This Resolution sets the tax rate for households within 780’ of a fire hydrant. Mrs. Morris moved, seconded by Mrs. Dea, that the Board adopt Resolution 2018-27, setting the tax rate of \$36.00 per parcel that is located within 780’ of a public fire hydrant. The rate remains the same as 2018. Motion passed 5-0.
- g. January 2019 Meeting Schedule: Mrs. Dea moved, seconded by Mrs. Morris, that the Board authorize the staff to advertise the January 2019 Meeting Schedule. Motion passed 5-0.
- h. Ms. Natasha Manbeck from McMahon Engineering: Karen Marshall of the Chester County Historic Preservation Network, suggested inviting Ms. Natasha Manbeck to meet with the Chairman of the Township’s Historic Commission, Paul Lagasse, and to speak to the Board regarding the potential for improvements to the livability and walkability of the Kemblesville Historic Village. Ms. Manbeck, an engineer and planner with McMahon Associates, was previously the Director of Transportation Services for the Chester County Planning Commission and was part of the group that performed the 2009 Traffic Taming Study for Rt. 896. She is very familiar with Franklin Township and the surrounding area, having worked with many of the neighboring townships in various capacities. She and Mr. Lagasse walked the Village together and reviewed different ideas for improvements. They discussed what improvements might be possible and what issues may be insurmountable. Ms. Manbeck provided valuable insight into the most efficient way to structure such a project, suggesting that the scope of work be developed based on what is reasonably feasible rather than wasting time on a wish list which is not feasible for this specific area. She talked about the availability of grant resources, mentioning the Vision Partnership Program and the Delaware Valley Regional Planning Commission (DVRPC) as two of the most prominent. The DVRPC has a program called Transportation Community Development Initiative, which has been used by municipalities for these types of projects. It requires a 20% match. She encouraged the Board to re-engage PennDOT regarding their plans for the Appleton Rd./896 Intersection and to make PennDOT aware of the Township’s plans for improving the Village so that those plans may be considered, perhaps incorporated, with PennDOT’s plans. The next step would be to engage an organization to complete a feasibility study. She encourages community input throughout the process. This discussion included significant input from residents of the village who expressed their growing concerns regarding the unsafe conditions due to increased traffic and excessive speed on 896 and Appleton Rd. The residents want increased police monitoring, a reduction and enforcement of the speed limit, flashing lights, and/or the installation of other forms of traffic calming techniques. Ms. Manbeck gave some examples of traffic calming in other municipalities. Ms. Manbeck will provide additional information to Mr. Lagasse which he will share with the Board. Chairman Auerbach indicated that the Board will begin working closely with the Historical Commission to develop and implement a plan of action. On behalf of the Board, Chairman Auerbach thanked Ms. Manbeck for her very informative presentation and Supervisor Dea assured the village residents that their safety concerns have been heard. The following residents participated in the discussion: John Call, Larry Eller, Teresa Eller, Matt Goin, Kathy Goin, Liz Randby, Maria Randby, Eric Brindle.
- i. Additional Dwelling Unit Ordinance: Chairman Auerbach moved, seconded by Mr. Snyder, that the Board authorize the Solicitor to advertise the Additional Dwelling Unit Ordinance for enactment at a future meeting.

**Discussion:** Mr. Auerbach reiterated his support for the Ordinance, summarizing the number of meetings and reviews that it has received and noting that it has the support of the Chester County Planning Commission as stated in their letter dated December 4, 2018. Manager McVaugh advised that the Township Zoning Officer, Jeff Vogels, has recommended changing the definition of “Accessory Dwelling Unit (ADU)”, see her memo to the Board dated December 14, 2018. The

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majority of the Board was not in favor of changing the definition. Motion passed 4 – 1, with Mrs. Morris voting Nay.

- j. *Elected Auditor Vacancy*: Mr. Snyder moved, seconded by Mr. Auerbach, that the Board appoint Larry Jones to fill the vacant elected auditor position through December 31, 2019.

**Discussion:** Chairman Auerbach provided information regarding the need for this position and gave a brief summary of Mr. Jones' background.

Motion passed 5-0.

- k. *Continued Discussion – Removal of the Township's "dry" status by referendum*: As stated in last month's discussion, the Board has agreed that trying to allow the sale of alcohol in the Township would be a benefit but will be a daunting task. It must be done by referendum and to get it on the ballot the Township will need a petition signed by approximately 600 registered voters from the Township and the signatures have to be gathered between February 19 and March 12. The Board discussed different ways of getting information to the public such as a mass mailing, utilizing the Township website and starting a Facebook page. Chairman Auerbach read from a draft of a "Summary Proposal" and a "To Do List" that the Supervisors can use in developing communication to be distributed to residents. The Board members will identify residents in their neighborhoods who are willing to help in this effort. The Township's population would probably allow for only one liquor license to be granted. This discussion will continue next month.

**Public Comment:** Ms. Dowling and Ms. Huston of 121 Peacedale Road discussed their concerns about the property next door – 117 Peacedale Road. Ms. Dowling informed the Board that the property has recently been sold and an environmental company is performing perc testing. Chairman Auerbach explained that the Chester County Health Department (CCHD) issues septic and well permits. The Township has no jurisdiction over the issuance of those permits. The Township cannot prevent a property owner from developing their property if they secure all the required permits from CCHD. The Township Mgr. will contact Chester County to get an official wetlands map and will look at the FEMA Flood Plain maps to check the status of the parcel and will get back to Ms. Dowling with that information. Ms. Dowling said that the parcel is very environmentally sensitive and she is willing to do whatever is necessary to protect it. Mr. Auerbach understands her concern but the Township is legally obligated to issue a building permit if the owner presents the proper septic and well permits from the CCHD.

**Adjourn:** The meeting was adjourned at 9:22 p.m.

Respectfully submitted,  
*Sharon Norris*  
Sharon Norris  
Township Secretary