

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS' MINUTES May 17, 2017

Call to Order:

Chairman Auerbach called the meeting to order at 7:02 p.m. Present were Supervisors Snyder, Torres and Schenk. Supervisor Dea was absent. Also present were Township Solicitor Mark Thompson, Planning Commission Chairman Dave Hoffman, Manager/Treasurer Joan McVaugh, and Secretary Sharon Norris. There were 4 members of the public in attendance and Shane Morgan representing the White Clay Wild and Scenic Organization.

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

Public Comment: There was no public comment.

Announcements: There will be an Executive Session after the meeting to discuss legal issues.

Approval of Minutes:

- a. BOS Minutes of April 19, 2017: Mrs. Schenk moved, seconded by Mr. Snyder, that the Board approve the April 19, 2017, v1 Minutes, as presented by the Township Secretary. Motion passed 4-0.
- b. Disposition of Records – Resolution 2017-11: Mr. Auerbach moved, seconded by Mr. Torres, that the Board approve Resolution 2017-11 regarding the Disposition of Records for the Board of Supervisors' meeting of April 19, 2017 and the PC meeting of April 6, 2017. Motion passed 4-0.

Reports:

- a. Treasurer's Report for April 2017: Mr. Snyder moved, seconded by Mrs. Schenk, that the Board approve the April 2017 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$370,814.98; the Park & Recreation Fund with disbursements of \$6,567.26; the Open Space Fund with disbursements of \$6,974.10; the Capital Reserve Fund with disbursements of \$48,127.74; Emergency Services Fund with disbursements of \$34,999.20; the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$1,248,733.16. Motion passed 4-0.
- b. Zoning Officer's Report: Supervisor Torres reported that during the month of April, 3 permits were issued and 19 building inspections took place. Building Fees collected were \$644.00. Miscellaneous Fees collected were \$225. No Recreation, Open Space or Impact Fees were collected. There are three ongoing zoning issues. Mrs. McVaugh updated the Board on the abandoned vehicles complaint on Pennock Bridge Rd., and informed them that the trailer at 308 Heather Hills Drive has been removed. The entire report can be viewed on the Township website at www.franklintownship.us.
- c. Planning Commission Report(PC): Chairman Hoffman summarized the May 4, 2017 PC meeting which included the PC's recommendation for the Board's approval, with conditions, of the Conditional Use Application for 1620 New London Rd. The PC also reviewed several options for the owners of the Appleton Glen subdivision. The details of these discussions can be found in the approved minutes of the May 4th PC meeting.

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- d. HARB/HC Report: Neither of these commissions met in May.

Business:

- a. MS4 Collaboration Update: Chairman Auerbach provided a brief explanation of the MS4 program, which is a DEP mandated program for stormwater. The goal of the program is to reduce the nitrates, phosphates, sediments and bacteria in the waters. The Township is participating in a collaborative effort with neighboring municipalities including West Grove and Avondale Boroughs and London Grove and New London Townships. Ms. Shane Morgan of the White Clay Wild and Scenic Organization, summarized different projects which have large appeal such as stream restorations, and summed up the goals of the collaboration which are: 1) understanding loads; 2) implementing Best Management Practices (BMPs); and 3) reducing total maximum daily loads (TMDLs). On Thursday, May 18th, the municipal engineers and the project team will be meeting to discuss the load responsibility for each Township and projects will be identified. In answer to concerns expressed by Chairman Auerbach, Ms. Morgan assured him that a municipality would not be required to participate in a collaborative project that is cost prohibitive based on the Township's budget. It was also made clear that the Township will be credited for stormwater improvement projects within the Township. Ms. Morgan and Ellen Kohler will be at the June 21st BOS Meeting to discuss the results of the collaboration to date. Ms. Morgan encouraged residents to sign up for the "***Catch the Rain***" program which gives grant money to those located in the White Clay Watershed to install some of the recommended BMPs in their own yards. Visit <http://whiteclay.org/catchtherain/> for more details.
- b. Escrow Release #2 – Keen 3-lot Plan: Mr. Snyder moved, seconded by Mr. Auerbach, that the Board, based on the recommendation of Township Engineer Pete Eisenbrown, approve Escrow Release #2 for the Keen 3-lot subdivision in the amount of \$65,000. Motion passed 4-0.
- c. 4 Post Deer Treatment Stations: Mr. Auerbach explained the operation and purpose of the treatment stations, which primarily is to reduce the occurrence of Lyme Disease. The Township currently owns 8 treatment stations and two residents have purchased their own, therefore there are currently a total of 10 feeders being hosted by Township residents. There are two residents on the waiting list for a feeder. The Township maintains a free supply of corn for the feeders. The resident host is responsible for providing other supplies, i.e., paint rollers and the permethrin (tickicide). The Board agreed to purchase 4 additional feeders. The following members of the public participated in the discussion: Ms. Nancy Morris, Mr. David Gerstenhaber and Dr. Dave Hoffman.
- d. Draft Cell Tower Ordinance: This ordinance addresses tower based and non-tower based wireless communication facilities (WCFs) in the right-of-way. Chairman Auerbach provided some background information, and advised that the Board's intent is to allow the necessary antennas to improve cell service but to control where the cell towers are located. Currently the companies that install them can do so without a permit and locate them in the utility right-of-way which means one could be placed in a resident's front yard. The courts have ruled that the cell tower companies do not have public utility status, however this ruling is being challenged and the Solicitor advised the Township to get an ordinance in place while they still can. Mrs. Schenk advised that she and Supervisor Dea have been working on a draft ordinance which they hope to have available for review by the PC in July. They are continuing to work on language that would permit the installation of the mini cell towers,

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perhaps on feeder roads and state roads, in non-residential areas. PC Chairman Hoffman questioned the definition of a “residential area” in Franklin Township, given the rural nature of the Township.

Public Comment: Mrs. Morris inquired about the unsightly Basic Gas Station. The Township Mgr. advised that the Zoning Officer is trying to locate the owner. Mr. Auerbach stated that the business is non-competitive with other similar businesses in the area and the owner is non-responsive. The Board agreed to have the Township contractor cut the grass when it is 18” or higher until a permanent solution can be determined.

Adjourn: The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Sharon Norris
Township Secretary

BOS Mtg. 05.17.17.v.1.ER