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FRANKLIN TOWNSHIP BOARD OF SUPERVISORS' MINUTES November 14, 2018

Call to Order:

Chairman Auerbach called the meeting to order at 7:06 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. Ms. Shelly McCoy, the Township's representative at Avon Grove Library was also in attendance. There were no members of the public present.

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

Announcements: There will be an executive session after tonight's meeting to discuss legal issues.

Public Comment: There was no public comment.

Approval of Minutes:

- a. *BOS Minutes of October 17, 2018:* Supervisor Morris moved, seconded by Supervisor Snyder, that the Board approve the October 17, 2018 with one correction, as follows: six lines from the bottom of Pg. 4, the sentence should read as follows: "This formula uses number of runs, population and appraised value". Motion passed 5-0.
- b. *Disposition of Records – Resolution 2018-22:* Mrs. Dea moved, seconded by Mr. Snyder, that the Board approve Resolution 2018-22 regarding the Disposition of Records for the October 17, 2018 BOS Meeting and the October 4, 2018 Planning Commission Meeting. Motion passed 5-0.

Reports:

- a. *Treasurer's Report for October 2018:* Chairman Auerbach moved, seconded by Mr. Torres, that the Board approve the October 2018 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$148,206.45; the Park & Recreation Fund with disbursements of \$3,971.69; the Open Space Fund with disbursements of \$6,768.42; the Traffic Impact Fund East with disbursements of \$255.00; the Capital Reserve Fund with disbursements of \$541.15; the Highway Aid Fund with disbursements of \$50,226.40; the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$937,000.17.

Discussion: Supervisor Torres asked the Manager about the EIT and noted the difference in what we have received to date vs. the same time period last year. Motion passed 5-0.

- b. *Zoning Officer's Report:* Mr. Snyder reported that during the month of October, 9 permits were issued and 31 building inspections were completed. Building fees collected were \$1,049.50; Recreation, Open Space & Impact Fees collected were -0-; and miscellaneous fees collected were \$2,450.00. There were 5 zoning issues reported. Manager McVaugh updated the Board as follows: 1651 New London Road will be going to the ZHB for a Change of Use; 3327 Appleton Road – The owner is contesting the District Magistrate's guilty verdict and will be going to the Court of Common Pleas at a later date. Additionally, the Zoning Officer will be sending another violation letter soon; 223 Highland Drive has

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resolved their water issue; 1620 New London Road will be discussed in Executive Session; 206 Fox Run Road – the Bank has secured the property. The entire report is on the Township website at www.franklintownship.us.

- c. Planning Commission Report(PC): Mrs. Dea summarized the PC's November 1st meeting at which the Commission reviewed the Additional Dwelling Unit Ordinance and made a recommendation to the Board that they approve it. The minutes of that meeting will be posted on the website after approval.
- d. HARB/HC Report: Chairman Lagasse reported that both committees met on November 7th. The HARB considered 3 applications for Certificates of Appropriateness and reviewed training opportunities. He announced that going forward, both groups will be meeting on the 1st Tuesday of the month to accommodate the Zoning Officer's schedule. They are considering combining their meetings since their membership and topics overlap. The HC discussed the Kennedy House, the 2009 896 Traffic Study and the Commission's interest in being represented in the CCPC's Historic Resource Atlas. They discussed PennDOT's evaluation of the Township's cultural resources along 896. Mr. Lagasse is planning to talk with Karen Marshall in that regard. Regarding the Church Hill African Cemetery, Mr. Lagasse heard back from a representative of the African Methodist Historical Congregation who referred him to the AME historiographer. At the end of the meeting they said goodbye to long-term member Dolores Hughes who is moving away from the area. Mr. Auerbach read a letter that she sent to the Board.
- e. FSA Report: In Jim German's absence, Supervisor Torres read his written report. Two bucks and 2 doe were harvested from Franklin Preserve and 1 buck from White Clay Crescent. The FSA has provided a total of 100.5 hours of community service so far this year. Recent projects included clearing trails on the Keen Farm and Crossan Park.

Business:

- a. Shelly McCoy – Avon Grove Library: Ms. McCoy, the Township representative to Avon Grove Library, summarized the Library's 2017 Annual Report. She reported an increase in attendance at the programs offered by the library and an increase in computer usage and on-line book check-out. Approximately 9% of the book check-outs are from Franklin Township. She discussed library financials and budget planning and preparation, and the Library Board's desire to apply for grants and funding from various foundations. She reported that their estimated budget for 2018 is \$368,755. In regard to the budgeting process, Ms. McCoy noted that the Library's debt consists of a mortgage on the building which is close to being paid off. The Library Board has decided to use money from the Library's emergency fund to pay down the principal to accelerate the payoff and save on interest. In answer to a question from Supervisor Torres regarding how municipal contributions compare to their usage, she provided a comparison to several of the surrounding townships. She advised that there is a position open for an additional Township representative. Any interested resident should contact Library Board President, Sue Geiger. Ms. McCoy encouraged everyone to visit the Ringler Room which is a quiet spot in the library created in memory of the former director Kim Ringler, who recently passed away. Several supervisors commented on their use and enjoyment of the resources offered by the Library.
- b. Certificates of Appropriateness(COA): The following COAs were recommended for approval by the HARB:
 - 3312 Appleton Road: Supervisor Torres moved, seconded by Chairman Auerbach, that based on the recommendation of the HARB, the Board grant a Certificate of Appropriateness

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for the roof replacement at 3312 Appleton Road. The project is in compliance with sections A-F of the 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.

Discussion: Mr. Lagasse explained the role of the HARB in reviewing COAs.

Motion passed 5-0.

1735 New London Road: Supervisor Morris moved, seconded by Supervisor Snyder, that based on the recommendation of the HARB, the Board grant conditional approval for a Certificate of Appropriateness at 1735 New London Road for the placement of a shed. The applicant should bring in the finalized shed drawings for approval by the Building/Code Official and 2 other members of the HARB. The proposed project is in compliance with sections A-E and I-J of the Secretary of the Interior's standards and the proposed work is in keeping with the current appearance of the structure and appropriate to the property and will have no effect on the historical character of the property and/or its environment.

Discussion: Mr. Lagasse explained why conditional approval, rather than final approval, is recommended in this instance. In answer to questions from the Board, he noted that the applicant will be required to obtain a building permit and will go through the routine inspection process required by the Zoning Officer.

Motion passed 5-0.

20 Municipal Lane: Supervisor Dea moved, seconded by Supervisor Torres, that based on the recommendation of the HARB, the Board grant a Certificate of Appropriateness for the construction of a porch across the front of the Township office building. The project is in compliance with the Historic District and no sections of the Secretary of the Interior's standards are applicable. The proposed porch is in keeping with the current appearance of the structure and appropriate to the structure and has no effect on the structure's historical character.

Discussion: The HARB suggested that the pitch of the proposed porch roof be made similar to the roof above it, however the Zoning Officer recommends keeping it the same as originally proposed.

Motion passed 5-0.

- c. Additional Dwelling Units 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: Chairman Auerbach noted the amount of time spent on reviewing and revising this ordinance by both the PC and the Board. He summarized the provisions of the original ordinance which was enacted in 1972 and remains in effect currently, and reiterated all the reasons for the Board's decision to revise it. He stated that the overall impact of the new ordinance is that it is much more restrictive than the current ordinance and easier to administer because the provisions are consolidated into one document. Supervisor Morris disagreed with Mr. Auerbach's interpretation and identified specific provisions which she interprets as making it much less restrictive and difficult to enforce. The Board is not considering additional revisions at this time, however after the discussion, it was their decision to send it to the Chester County Planning Commission (CCPC) for their review and comment prior to advertising it for public comment and enactment by the Township. The CCPC has 30 days to review and comment. Mr. Auerbach amended his motion to state that the Board authorizes the Solicitor to send the Additional Dwelling Unit Ordinance to the

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Chester County Planning Commission for review. Mr. Snyder seconded the amendment. Motion passed 4-1 with Mrs. Morris voting Nay.

- d. Discussion of Township "Dry" status: Mr. Snyder started the discussion regarding the Petition for the granting of liquor licenses for the sale of liquor in Franklin Township. The Board was in agreement that allowing the sale of alcohol in the Township would be an overall benefit to the Township. The Solicitor explained that there were at least 18 various questions that could be put on the ballot regarding the sale of alcohol and liquor licenses. The Board thought that allowing the retail sale of malt beverages and granting liquor licenses for the sale of liquor in the Township would be the two questions voters would like to consider. The Solicitor explained the process. Registered voters who live in the Township would gather signatures from other registered voters in the Township. The petition must be signed by approximately 600 Franklin Township registered voters and the signatures must be gathered between February 19 and March 12. You do not have to be 21 years old to sign the petition. The discussion emphasized the fact that this is a more complex process than first realized. The Chairman asked the Board members and the Solicitor to consider the issues carefully and be prepared to continue the discussion at the December Board meeting.
- e. 2019 Budget: Supervisor Torres moved, seconded by Supervisor Snyder, the Board authorized the staff to advertise the 2019 Budget for adoption at the December 19, 2018 Board of Supervisors Meeting. The motion passed 5-0.
Discussion: Chairman Auerbach expressed satisfaction with the budgeting process and commented that Treasurer McVaugh is a tough task master and sticks to a tight budget. He noted some of the accomplishments over the past 6 years and expressed optimism regarding the Township's ability to continue to move forward.

Public Comment: Paul Lagasse met with Natasha Manbeck of McMahan Engineering regarding ways to make the Township Historical District walkable and more livable. Ms. Manbeck, when she worked for the Chester County Planning Commission, participated in the 2009 Traffic Taming Study. PennDOT has used some of the options from that Study. Ms. Manbeck is willing to come and speak to the Board about different options to make the area more walkable and how to prepare a plan for possible grant funding. Mr. Lagasse will invite Ms. Manbeck to come to the December 19th BOS meeting. Chairman Auerbach stressed the need for the Township's plans to remain completely compatible with PennDOT.

Adjourn: The meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Sharon Norris
Township Secretary