

APPROVED

FRANKLIN TOWNSHIP BOARD OF SUPERVISORS' MINUTES January 21, 2020

Call to Order:

Chairman Morris called the meeting to order at 7:00 p.m. In attendance were Supervisors Auerbach, Dea, Gerstenhaber and McVeigh. Also in attendance on behalf of the Township were Solicitor Mark Thompson, HARB/HC Chairman Paul Lagasse, Township Manager/Treasurer Joan McVaugh and Secretary Sharon Norris. 23 members of the public were in attendance.

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

Public Comment: There was no public comment.

Approval of the Minutes:

- a. Board of Supervisors (BOS) Minutes of December 18, 2019: Supervisor Gerstenhaber moved, seconded by Vice Chairman McVeigh, that the Board approve the December 18, 2019 v.2 Minutes, as submitted by the Township Secretary. Motion passed 5-0.
- b. BOS Minutes of January 6, 2020: Mrs. McVeigh moved, seconded by Mr. Gerstenhaber, that the Board approve the January 6, 2020 v.2 Minutes, as submitted by the Township Secretary. Motion passed 5-0.
- c. Disposition of Records – Resolution 2020-06: Supervisor Morris moved, seconded by Supervisor Auerbach, that the Board of Supervisors adopt Resolution 2020-06 regarding the Disposition of Records for the Board of Supervisors' meetings of December 18, 2019 and January 6, 2020, and the Planning Commission meeting of December 5, 2019. Motion passed 5-0.

Reports:

- a. Treasurer's Report for December 2019: Supervisor Auerbach moved, seconded by Supervisor Dea, that the Board approve the December 2019 Treasurer's Report which includes the following disbursements: The General Fund with disbursements and transfers of \$455,877.66; the Park and Recreation Fund with disbursements of \$750.33; the Open Space Fund with disbursements of \$6,553.17; the Emergency Services Fund with disbursements of \$61,073.89; and the Fire Hydrant Fund with disbursements of \$580.80; leaving a balance in all funds totaling \$566,342.07. Motion carried 5-0.
- b. Zoning Officer Report: Supervisor Dea reported that during the month of December, 1 permit was issued, and 21 building inspections took place. Building Fees collected were \$250; Open Space and Impact Fees collected -0-; and Miscellaneous Fees collected were \$100.00. Regarding the one ongoing zoning issue at 3327 Appleton Rd., the Zoning Officer and Township Solicitor will appear in Court on Wednesday January 22, 2020 as the property owner is appealing the fines. The entire report can be reviewed on the Township website at (www.franklintownship.us).
- c. Planning Commission (PC) Report: PC Chairman Dave Hoffman summarized the January 9 PC meeting where the PC elected their officers and continued the discussion of the Green Energy Ordinance. The PC is currently working on the solar energy section and will later include other alternative energy sources such as wood and wind. The entire project will take several months to complete.

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- d. HARB/HC Reports: Mr. Lagasse reported on the combined meeting of the HARB and Historical Commission that took place on January 7, 2020. Officers were elected. Discussions included 896 roadwork, walkability of Kemblesville, and research on the Church Hill Cemetery.

Regarding 896 roadwork, Chairman Morris asked Township Mgr. McVaugh if she has received a recent update from PennDOT. Mrs. McVaugh reported that she was recently contacted by PennDOT with a question – which she answered – and during that conversation they indicated that work on the project is continuing, but they cannot project a time line. She noted that during that phone call she discussed the possibility of installing crosswalk lights as a safety precaution for pedestrians entering the crosswalk on 896 in front of McMaster Blvd. and PennDOT seemed to be receptive to the idea.

- e. FSA Report: Jim German reported that two more deer have been harvested, making a total of 12 for the season so far. Deer hunting season ends Saturday, January 25th. The FSA has performed a total of 153.5 hours of community service for the Township and provided a local family with Christmas gifts and other provisions totaling \$400.

Business:

- a. Avon Grove Library (AGL): Lori Schwabenbauer, Library Director, and Shelly McCoy and Lisa Zawada Franklin Township volunteers on the Library Board of Directors, were present on behalf of the AGL. Ms. Schwabenbauer spoke about the many benefits the Library brings to the Avon Grove community. The Library's service area includes 7 municipalities. Approximately 10% of their cardholders are residents of Franklin Township. The AGL is best known for its children's programs but has many other types of programs including concerts, crafts, book clubs, lectures, knitting ... just to name a few. The Public Library is the only American institution that provides lifelong learning and enrichment. It's a great resource for any type of research, e.g. job searching, health research, and families that homeschool. If the resource being sought isn't at AGL they can borrow it from other libraries, including the County library, and have it delivered to Avon Grove. Ms. Schwabenbauer provided the library's Annual Report for 2018. The Township currently contributes \$5/capita in support of the library.

- b. Bike Trails: Supervisor Gerstenhaber moved, seconded by Chairman Morris, that the Board permit Matt Thompson and the Velo Amis Organization to build youth bicycle trails in Crossan Park and Franklin Preserve with the intent of allowing all members of the public to have access to these trails.

Discussion: Matt Thompson from the Velo Amis Mountain Biking Organization presented his group's plan to build a 4-mile trail in Crossan Park & the adjacent Franklin Preserve, at no charge to the Township. There were approximately 19 young people and adults from Velo Amis present at the meeting. Velo Amis is a local group of cyclists which includes youth bikers that take part in team-based biking competitions for middle and high school youth. They compete in the Pennsylvania Interscholastic Cycling League which is governed by the National Interscholastic Cycling Association. The name of the team being represented tonight is "Hellbenders", after an eastern lizard. Mr. Thompson provided a preliminary map outlining the proposed trail which would be used for training by the Hellbenders but would also be open to the public. Mr. Dave Bartoo, who built the bike trails in White Clay Creek State Park and is in charge of trail building for the state of Delaware, has committed himself to assist with the project. The team and their families will provide the necessary labor and have pledged to be responsible for future maintenance. The team members earn community service points for the maintenance work which count toward their eligibility for the various competitions. Mr. Thompson is committed to fostering respect among young people for the

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natural environment. The discussion included requests from the Board for more details regarding the structure of the trails and concerns regarding potential stormwater issues. The potential for earth disturbance was discussed and is expected to be minimal. The need to have the trail plan reviewed by the Township Planning Commission (PC) was proposed by Supervisor Auerbach but not supported by the majority of the Board. The vote was unanimous in favor of allowing Mr. Thompson to move forward with his plans. Because of his concerns regarding stormwater issues, Mr. Auerbach voted “aye” with the caveat that the plan be reviewed by the PC. Jim German, Brent Van Lith and Paul Overton participated in the discussion.

- c. *Park, Recreation and Open Space Committee formation:* Chairman Morris lead the discussion on the formation of a Park, Rec and Open Space Committee. Her vision is to have a group of individuals from the community who care about the parks and are interested in open space, who would make recommendations to the Board regarding park improvements and activities and help to decide the most important criteria when considering open space acquisitions or ag easements. The consensus of the Board was to authorize the Solicitor to draft an ordinance for establishing such a committee for review at the next meeting.
- d. *Ordinance 2020-01:* Supervisor McVeigh moved, seconded by Mr. Gerstenhaber, that the Board authorize the Solicitor to advertise Ordinance 2020-01, an update to the Historic District Ordinance, for enactment at the next available Board of Supervisors meeting.
Discussion: The Solicitor explained the difference between the current ordinance and the proposed ordinance and noted that the judge in the 3327 Appleton Rd. case suggested that the Township consider revising the current ordinance. The motion passed 5-0.
- e. *Hess Mill Bridge Replacement:* Supervisor Auerbach led the discussion on the replacement of the Hess Mill Bridge. The bridge has consistently been rated “4” by PennDOT since 2009 when the inspections began. The most recent PennDOT inspection report is included in the information provided to the supervisors. The Township’s plan is to replace the bridge with a precast factory manufactured concrete structure which would be delivered to the site and installed by the manufacturer at a total cost of approx. \$371,000. The Township is pursuing grant money from Chester County Conservation District (CCCD). If the grant is approved, the Township’s cost will be approx. \$75,000. The span of the existing bridge is 25 ft. CCCD performed an inspection in early 2019 and determined that the bridge was restrictive to the flow of the stream and recommended that the bridge channel be increased by making the replacement bridge 32 ft. wide. The Township has not heard from CCCD regarding when the grant money may be available. If the Township replaces the bridge, as planned, before it fails it would be out of service for approximately 4-6 weeks. If the bridge fails and is then replaced, it could be out of service for as long as 6 months. The consensus of the Board is to wait to see if the Township is awarded the grant from CCCD. If not, the Board will explore short-term, low interest loans through the Pennsylvania Infrastructure Bank.
- f. *Refugee Discussion:* President Trump issued Executive Order #13888 requiring that states and their counties provide written consent allowing refugees to settle in their communities. Chester County pushed that responsibility onto each municipality. A federal judge has blocked the Executive Order, however, the Board decided to have this discussion because the topic continues to be of interest to the public. The Board had many questions for which there are no answers at this time. Some of the supervisors feel strongly that it is unfair that Chester County is pushing the responsibility down to the municipalities, others were interested in knowing what the financial responsibilities of the Townships will be. The Manager/Treasurer has had discussions with other area managers and they too had many unanswered questions. She noted that West Chester Borough has adopted a Resolution which consents to the resettlement of refugees within the Borough of West Chester, but

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there are no details regarding exactly what that entails. What is known at this time is that these refugees are documented and lawful but there is no other information available. Manager/Treasurer McVaugh will continue to follow this topic and will keep the Board advised.

Public Comment: Brent VanLith expressed concern regarding the possibility of the Hess Mill Bridge failing. Chairman Morris reiterated the Board's plan to wait to see if the grant money is awarded and if not, the Township will pursue a short-term low interest loan. Roger Wilson, Paul Lagasse, Ms. Reynolds and Mr. Reynolds commented on the refugee discussion.

Adjourn: The meeting was adjourned at 8:50p.m.

Respectfully submitted,

Sharon Norris
Township Secretary

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