

August 20, 2024

The Franklin Township Supervisors met on the above date at the Franklin Township Administration Building located at 889 Fairyland Road. Township Officials present were Supervisors Fred Kemmerer, Robin Cressley, Leroy Kemmerer, and Secretary Brenda Cressley. A list of others in attendance is attached to the Minute Book. Chairman Kemmerer called the meeting to order at 6:30 p.m., and led those present in the Pledge of Allegiance to the American Flag.

Approval of Minutes –

Having received no additions or corrections to the July 16, 2024 Township Meeting minutes, Robin Cressley made a motion to approve the minutes. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Leroy Kemmerer Jr. made a motion to approve the minutes from the July 16, 2024 Transfer of the Liquor License Hearing. Robin Cressley seconded the motion. Motion carried unanimously.

Secretary's Report-

- * Change in Garbage Collection for the Labor Day Holiday: Monday, Sept. 2nd pick-up is changed to Tuesday, Sept.3rd
- * The next E-Cycling Event will be held on Saturday, October 19, 2024 from 9:00 a.m. – 11:00 p.m. More information can be found on our website or call the Township Administrative Office. For FRANKLN TOWNSHIP RESIDENTS ONLY.
- *Secretary Cressley met with Andrew Diprospero from PIRMA Insurance Co. to review all properties and vehicles etc. on record. Interim Road Foreman Kim Hunsicker was present as well.
- *The Franklin Township Office has tickets available for pick-up RE: FT Lions Sponsored event for Picnic in the Park for a complimentary free meal for Franklin Township Senior Citizens (65 and above) on September 22, 2024. Senior meals will be served from 12 p.m.- 2:00 p.m. Non-Resident tickets are \$12.00 each.
- * Executive Meeting was held on July 23, 2024 – Police Contract
- * Executive Meeting was held on August 1, 2024- Lease Agreement
- * Executive Meeting was held on August 6, 2024 – Curative Amendment

Treasurer's Report – Robin Cressley moved to accept the Treasurer's Report. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Zoning Report - Zoning Officer Paul Jarrett submitted his report from 7/19/24 -8/12/24. Revenue from Zoning Permits: \$4,970.20. Variance Exception Request: \$0.00. Curative Amendment fee: \$1,000.00. Copies on file.

UCC Building Code Official – Received report from Lehigh Valley Inspection Services from 7/19/24-8/12/24. Administrative fees turned in with report: \$736.00. Copies on file.

Fire Chief's Report - Received the July 2024 report for the Franklin Township Volunteer Fire Company. Copies are on file. Fred asked Fire Chief Diehl, how many Firefighters and Fire Police Franklin Township has that are active? He said around thirty-four firefighters and eleven Fire Police. Fred stated that we could always use more volunteers anyone interested in joining the Fire Company or Fire Police should contact the Fire Company etc.

Fire Police Report – Received the July 2024 monthly activity report.

Police Reports – Received report from 6/24/24- 7/20/24

Road Crew Report - Report received from – (7/7/24-7/20/24) & (7/21/24- 8/3/24) & (8/4/24-8/17/24)

Central Carbon Municipal Authority – Received the minutes from the 7/15/24 CCMA Meeting and a copy of the December 2023 Financial Statement.

SEO Reports - Scott Bieber submitted his report from 7/8/24-8/6/24.

The Board of Supervisors approved all of the reports as submitted.

Communications –

Received a letter informing Franklin Township they received the transfer application to SAI Leighton LLC -1470 Interchange Rd. Emails: NEPA, PSATS, PennDot, LTAP

Citizen Participation: -

Tami Berkes was present to request help with a water issue she is having on her property. She said the problem is when we get a heavy rainstorm the water is running down Franklin Road and the drains are not working properly. The water from Franklin Road runs on to Main Road and then down the alley onto her property. This is causing deep ruts, potholes, concrete is breaking up and causing water damage to her tenant's property. She presented pictures showing the issue. She feels the drain needs to be cleaned out and a possibly a berm placed along the alley to stop the water from coming onto her property. The supervisors told her they would speak to the interim Road Foreman to see what if anything the Township can do to help alleviate the water runoff.

Unfinished/Old Business - None

New Business-

Robin Cressley made a motion to approve the additional Waiver Request from Bollinger Solar, LLC from Saldo Section 512.A.9.a and 512.A.9.b (3),(7). Erosion & Sediment Controls & Plan Requirements. The waiver will simply allow the processing of the land development plan. The Applicant will address the E & S requirements with the Conservation District prior to a building permit being issued for the project. Fred Kemmerer seconded the motion. Motion carried. Leroy Kemmerer Jr. abstained.

Fred Kemmerer made a motion to give the Leighton Site LLC (Bollinger Solar Farm) Land Development Plan conditional approval pending all engineering comments are met and completed as follows. Robin Cressley seconded the motion. Motion carried. Leroy Kemmerer Jr. abstained.

1. All waiver requests, along with the date they were granted or denied by the Board of Supervisors, shall be indicated in the plans.
2. Per the letter dated August 8, 2024, a copy of which is attached hereto, clear sight triangles at intersections (Section 702.x) (Section 703.v.) The plan shall be updated with the required information. This proposed use is not listed as a use permitted in the I-Industrial zoning district. Franklin Township Zoning Ordinance of 1972, as amended, Sections 406.1 (Permitted Uses), 406.2 (Permitted Accessory Uses), and Section 406.3 (Uses Permitted with Zoning Hearing Board Approval). Approval is conditioned upon obtaining all necessary zoning permits and approvals necessary for the proposed use.
3. Fred Kemmerer made a motion to sign the 2023 (CDBG) Cooperation Agreement by and between the County of Carbon and Franklin Township for the FY 2023 CDBG Program. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Fred Kemmerer made a motion to approve the following waivers from Keystone Consulting Engineers Inc. on behalf of The Bobbie Jane Properties Land Development Plan:

1. [§53.B(7)(f)[6][i]] Minimum allowable drainage conveyance pipe size shall be 15 inches in diameter. The applicant would like to request a waiver from this section (if required) for the pipe from the first inlet into the basin and the discharge pipe to the level spreader.
Justification: The pipe leading from the first inlet into the basin is only collecting runoff from a small portion of pavement that includes the loading area, aside from the roof drains. This section of pipe as well as the discharge pipe from the basin to the level spreader do not need to be as large as 15 in.
2. [§56.H(5)] Access drives and landscaping shall be defined with concrete curbing, or such material as may be approved by the Township. The applicant would like to request a waiver from this section to not provide concrete curbing.
Justification: This isn't a high volume commercial development with a lot of parking or stormwater management. Stormwater conveyance can be achieved without curbing and there will be almost no pedestrian traffic through the site aside from the business employees.
3. [§56.I(1)] All proposed or required parking and loading areas (not including parking decks) and parallel circulation and service lanes serving any commercial, industrial, institutional or multifamily use shall be separated from any public road right-of-way or adjoining property lines by a landscaped buffer area not less than 15 feet wide. The applicant would like to request a waiver from this section to not provide a 15' wide landscaped buffer between the access lane and road right-of-way.
Justification: The existing circulation of the site is being maintained and the required buffer would not fit between the right-of-way and the two-way access through the site. The applicant will be removing pavement from the 209 right-of-way as required by PennDOT, increasing the vegetated area along the right-of-way from what it is currently.
4. [§59] A landscape plan meeting the requirements of [§59] shall be prepared for all land developments and no land development shall be finally approved until all landscaping has been installed or guaranteed in accord with this ordinance. This section of the ordinance requires that landscaping be installed around all parking lots, stormwater basins, and in buffers between improvements and property lines, among other locations. The applicant would like to request a waiver (or modification) from this section to consider the current wooded boundary and landscaping around the office as meeting this requirement.

Justification: The site was previously a single-family home with a maintained lawn/landscaping and wooded at the exterior of the lawn. The applicant is voluntarily providing a legal access to the Mentzer property through the shared easement to address their access issues, which doesn't allow room for landscaping to the west. The applicant is also removing pavement and restoring it to lawn to the east, while also maintaining the existing wooded area between this project and the Graver property.

5. [§83.B(1)(d)] Provide sidewalks along all street frontages. Street trees shall be planted within a tree lawn a minimum of six feet in width, between the edge of the cartway and the sidewalk. The applicant would like to request a waiver from this section to not provide sidewalks and street trees. **Justification:** This site is not located in an area where pedestrians can safely walk along sidewalks to get somewhere they would need to go. The longitudinal slope of the road and its one-way direction, minimal width between the 209 right-of-way and neighboring buildings, steep slopes, etc. wouldn't allow for extension in either direction in the future. There is also no room for sidewalks and/or street trees or tree lawn between the right-of-way and access through the site. As mentioned, the applicant will already be removing pavement just to stay out of PennDOT's right-of-way.

Robin Cressley and Leroy Kemmerer Jr. seconded the motions. Motion carried unanimously.

Robin Cressley made a motion to approve and have the Operation and Maintenance (O & M) Agreement for the Bobbie Jane Properties Land Development Stormwater Plans signed and notarized. (recommended by Carbon Engineering) Leroy Kemmerer Jr seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to give Bobbie Jane Properties Land Development Plan Final Conditional approval pending all engineering comments are completed. Fred Kemmerer seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to approve the request from the Franklin Township Lions' Club for the Franklin Township Fire Police to assist with parking at the Phifer's Ice Dam Park, during the annual Picnic in the Park to be held on Sunday, September 22, 2024. The time their services would be needed are from 12:30 p.m. to 3:00 p.m. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to sign the 2024 CDBG General Application. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to adopt Resolution 2024- 18 certifying the County of Carbon will administer the CDBG grant and develop a three-year Community Development Plan (CDP) on behalf of Franklin Township to be submitted with the CDBG Grant. Fred Kemmerer seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to approve and have the Operation and Maintenance (O & M) Agreement for the Pine View Acres Lot #44, (Barton) Stormwater Plans signed and notarized. (recommended by Carbon Engineering). Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

New Business Cont'd:

Robin Cressley made a motion to approve the requests from the Borough of Lehighon for the Franklin Township Fire Police to assist with traffic control for the following events:

September 28, 2024 – 1:00 p.m. – 150th Anniversary for the Lehighon Fire Department

October 19, 2024 - 4:00 p.m. – Halloween Parade

October 20, 2024 – 2:00 p.m. – Raindate- Halloween Parade

October 26, 2024 – 2:00 p.m. – 10:00 p.m. – Second Annual Witches Night Market

Leroy Kemmerer Jr. second the motion. Motion carried unanimously.

Robin Cressley made a motion to extend Employee #120's probation period for an additional thirty days, per the recommendation of the interim Road Foreman. Fred Kemmerer seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to approve Adoption of Agreement No. 2024- 01- PennDot Winter Maintenance Agreement for Five Year Term (2025- 2029); contingent on the solicitor's review. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to adopt of Resolution No. 2024-19 – Signature Authorization for Signing of PennDot's Winter Maintenance Agreement, contingent on our solicitor's review. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to approve the change order to the 2024 Seal Coat Project. Fred Kemmerer seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to schedule a Curative Amendment Hearing for September 18, 2024 at 6:30 p.m. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to accept the resignation from Robert Correll as a member of the Franklin Township Advisory Recreation and Parks Board. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to approve the request to have the Franklin Township Fire Police assist with traffic control at the intersection of Rt. 209 & 248 and also the area of Harrity Road, Rt. 209 and the Pa Turnpike, during the 2024 annual bike run for the K9 KOP Project to be held on September 7, 2024. Leroy Kemmerer Jr. seconded the motion. Motion carried unanimously.

Citizen Comments Questions - None

Questions from the Press – None received

Robin Cressley made a motion to adjourn the meeting at 9:00 p.m. Fred Kemmerer seconded the motion. Motion carried unanimously.

Respectfully,

Brenda Cressley, Secretary