

## **FRANCONIA TOWNSHIP**

### **REGULAR MEETING MINUTES**

#### **BOARD OF SUPERVISORS**

Chairman Steven P. Barndt called the Regular Meeting of the Board of Supervisors of Franconia Township to order on **Monday, January 19, 2009 at 7:00 p.m.** at the Municipal Building, 671 Allentown Road, Franconia, Pennsylvania 18924.

Present were 1<sup>st</sup> Vice-chairman Grey Godshall; 2<sup>nd</sup> Vice-chairman W. Keith Freed; Supervisors Curtis Kratz and Drew Darrah; Township Manager Kevin D. Bayer; Chief of Police Joseph S. Kozeniewski; Township Solicitor, Joseph C. Kuhls; Public Works Director Paul R. Nice; Assistant Manager Jamie P. Worman; Township Engineer Barry Wert, P.E.; Building & Code Inspectors Roger M. Koffel and Jerry Rittenhouse and interested residents of Franconia Township.

#### **OPENING MEETING TO THE PUBLIC**

Albert Stevens, 531 Allentown Road, informed the BOS that he and several neighbors submitted a petition to the township in regards to the coffee bean operation at 418 Allentown Road. There has been an odor emitting from the operation and it is obnoxious to the point that being outside is very uncomfortable when breathing the air at certain times. Mr. Bayer reported that the township has contacted the property owner in regards to the complaints and the operator has indicated he is preparing to relocate the business to a limited industrial location. A violation letter has been issued and the matter may be referred to the Zoning Hearing Board for action to address the complaints and whether the conditions set by the ZHB decision for the operation are being violated should the operator not relocate as indicated.

#### **APPROVAL OF DECEMBER 8, 2008 REGULAR MEETING MINUTES**

1. A motion was made by Mr. Kratz and seconded by Mr. Freed to approve the December 8, 2008 Regular Meeting Minutes. The motion carried.

#### **SOLICITOR'S REPORT – JOSEPH C. KUHL, ESQUIRE**

- a. A motion was made by Mr. Barndt and seconded by Mr. Godshall to approve Ordinance #358, an Ordinance fixing the annual compensation of the Tax Collector for Franconia Township for the Tax Collector's term of office commencing January 2010. The motion carried.
- b. A motion was made by Mr. Freed and seconded by Mr. Kratz to approve Resolution 09-01-19-01 Appointing Bergey Yoder & Associates, P.C., Certified Public Accountants, Dennis Bergey, to perform an audit of all Township funds for the calendar year 2009 in lieu of elected auditors. The motion carried.
- c. A motion was made by Mr. Freed and seconded Mr. Kratz to approve Resolution 09-02-19-01 Authorizing Berkheimer Associates of Bangor, Pennsylvania to Levy, Assess and

Collect Certain Local Taxes on Taxpayers for General Revenue Producing Measures as Authorized by Act 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania. The motion carried.

- d. A motion was made by Mr. Godshall and seconded Mr. Kratz to approve Resolution 09-03-19-01 Authorizing Berkheimer Associates of Bangor, Pennsylvania to collect the Open Space Tax Imposed on Earned Income as Authorized by Act 153 of the 1996 General Assembly of the Commonwealth of Pennsylvania. The motion carried.
- e. A motion was made by Mr. Godshall and seconded by Mr. Kratz to approve Resolution 09-04-19-01 Authorizing Berkheimer Associates of Bangor, Pennsylvania to Collect the Emergency and Municipal Services Tax as Authorized by “The Local Tax Enabling Act” of December 31, 1965 and Its Amendments, 53 PS 6902 Enacted December 1, 2004 by the General Assembly of the Commonwealth of Pennsylvania. The motion carried.
- f. A motion was made by Mr. Godshall and seconded by Mr. Freed to approve Resolution 09-05-19-01 Authorizing the Expenditures of Liquid Fuels Funds for 2009 Resurfacing and Equipment Projects. The motion carried.
- g. A motion was made by Mr. Freed and seconded by Mr. Barndt to approve Resolution 09-06-19-01 Requesting Permission to participate in the Pennsylvania Capital City Automotive and Equipment Contract. The motion carried.
- h. A motion was made by Mr. Godshall and seconded by Mr. Barndt to approve Resolution 09-07-19-01 authorizing the Appropriate Township Officials to Execute Highway Transfer Agreement between PennDOT and Franconia Township. The motion carried.
- i. A motion was made by Mr. Godshall and seconded by Mr. Freed to approve Resolution 09-08-19-01 authorizing the Appropriate Township Officials to prepare and execute documents relating to the Franconia Township Industrial Development Authority (IDA) for \$3,500,000 financing at the Frederick Mennonite Community. The motion carried.

**POLICE REPORT – JOSEPH S. KOZENIEWSKI**

Chief Kozeniewski submitted his report for December 2008.

A motion was made by Mr. Barndt and seconded Mr. Godshall to approve the hire of Christopher L. Hinnershitz as a Full-Time Patrol Officer effective January 2, 2009. Judge Keith Deatelhauser then administered the Oath of Office to the newly appointed Officer.

**ZONING REPORT – KEVIN D. BAVER**

Mr. Baver submitted his report for December 2008.

**HIGHWAY REPORT – PAUL NICE**

Mr. Paul Nice submitted his report for December 2008.

### **ENGINEERING REPORT – BARRY L. WERT, P.E.**

Mr. Wert reported that there were no items of interest this month.

### **TREASURER’S REPORT – KEVIN D. BAVER**

A motion was made by Mr. Darrah and seconded by Mr. Godshall to approve the Treasurer’s Report as presented, and to provide authorization for the Treasurer to pay all bills for the respective funds as presented on Voucher No. 09-19-01 dated January 19, 2009 in the amount of \$55,817.51. The motion carried.

### **PAYROLL**

A motion was made by Mr. Darrah and seconded by Mr. Freed for the Treasurer to be authorized to pay all employees during the pay period of January 1, 2009 through February 13, 2009 according to the hours worked as listed on the Payroll Journal for the aforesaid period. The motion carried.

### **SUBDIVISION AND LAND DEVELOPMENT**

A motion was made by Mr. Freed and seconded by Mr. Darrah to approve the James Rittenhouse Minor Subdivision (#08-08) Indian Creek & Godshall Roads.

### **ANNOUNCEMENTS/MOTIONS**

1. The Board of Supervisors and the following Boards, Committee and Authorities will meet during the year 2009 as follows unless advertised otherwise:
  - a) The Board of Supervisors of Franconia Township shall meet on the third Monday of each month, except December of 2009, when the Board of Supervisors shall meet on the second Monday and February of 2009 when the Board of Supervisors shall meet on the third Tuesday. All Board of Supervisors Meetings shall start at 7:00 p.m., unless advertised differently.
  - b) Planning Commission – First Monday of each month, except in September of 2009 when the meeting shall be held on the first Tuesday at 7:00 p.m., unless advertised differently.
  - c) Sewer Authority – Third Wednesday of each month at 7:00 p.m., except in December of 2009 when the meeting shall be held on the second Wednesday at 7:00 p.m. unless advertised differently.
  - d) Zoning Hearing Board – As needed on the second Monday of each month at 7:00 p.m., unless advertised differently.
  - e) Park and Recreation Board – Fourth Thursday at 6:00 p.m. January through April; and the Fourth Monday at 6:00 p.m. May through December, unless advertised differently.

2. The Pennsylvania State Association of Township Supervisors Annual State Convention will be held from Sunday, April 19, 2009 to Wednesday, April 22, 2009 at the Hershey Lodge and Convention Center, Hershey, Pennsylvania. The Secretary must provide a certificate with registration forms that delegates have been authorized to attend by the Board of Supervisors and must provide the name of the Voting Delegate. A motion was made by Mr. Barndt and seconded by Mr. Kratz to appoint Kevin D. Baver, Secretary, as Voting Delegate for the 2009 Convention.

The Franconia Township Planning Commission will hold the next Regular Meeting on Monday, February 2, 2009 at 7:00 p.m. at the Franconia Township Municipal Building, 671 Allentown Road, Franconia, Pennsylvania 18924.

The next Regular Board of Supervisors meeting will be held at 7:00 p.m. on Tuesday, February 17, 2009 at the Franconia Township Municipal Building, 671 Allentown Road, Franconia, Pennsylvania 18924. The Board of Supervisors Work Session(s) will be held on Friday, February 6, 2009 at 7:00 a.m. and Tuesday, February 17, 2009 at 5:00 p.m. and at the same location.

**MOTION TO ADJOURN**

A motion was made by Mr. Barndt and seconded by Mr. Kratz to adjourn the meeting at 7:18 p.m. The motion carried.

Respectfully submitted,

Kevin D. Baver, Secretary