

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, June 17, 2008 at 7:07 p.m. at the Municipal Building, 671 Allentown Road, Franconia, Pennsylvania 18924.

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

OPENING MEETING TO THE PUBLIC

Mr. Gerald Theil, 811 Allentown Road, asked why the Board of Supervisors names were not listed on Township map that was sent out to the residents.

Mr. and Mrs. Goshow, 376 W. Reliance Road, inquired about the status of connecting to public sanitary sewer and why they have not received a letter. Mr. Baver reported that the FSA is still waiting for the permit/paperwork from DEP.

APPROVAL OF MAY 2008 MEETING MINUTES

A motion was made by Mr. Kratz and seconded by Mr. Freed to approve the May 20, 2008 Regular Meeting Minutes. The motion carried unanimously.

SOLICITOR'S REPORT – JOSEPH C. KUHL, ESQUIRE

Ordinance 347 - An Ordinance amending Chapter 145 (Zoning) of the Franconia Township Code to add definitions for flex space, outdoor display and outdoor storage; to amend the index to properly reference the section of the code that pertains to cellular towers as 145-157.C.; to provide for performance standards applicable to all uses in all districts; and to provide the Legislative intent for the Commercial District; and to amend the Limited Industrial District to provide additional regulations for by right uses and conditional uses; and to amend the Limited Industrial District to reflect that a building or building(s) may be erected on a lot; and to amend the Limited Industrial District to require public water and sewer when it is available or becomes available; to amend the Legislative intent for the RR

Rural Resource Residential District; to add special exception use regulations for an In-Law Suite to the RR Rural Residential District; to amend the dimensional regulations for conditional uses providing a subsection for flag lots; to provide regulations for single lot divisions in the RR Rural Resource Residential District; to remove the LI-LI District and the I-Industrial District from the Franconia Township Municipal Code; Public Hearing commenced at 7:12 PM: No comments were heard from the public. Hearing closed at 7:14 PM. A motion was made by Mr. Barndt and seconded by Mr. Godshall to approve Ordinance 347. The motion carried.

Ordinance 348 - An Ordinance Amending Chapter 122 Establishing Standards for Establishment and Constructions of Cul-de-Sacs and P-Loop Roadways. Public Hearing commenced at 7:15 PM: No comments were heard from the public. Hearing closed at 7:17 PM. A motion was made by Mr. Barndt and seconded by Mr. Godshall to approve Ordinance 347. The motion carried.

Ordinance 353 - An Ordinance re-zoning certain land encompassing 1.48 acres from Industrial to Village Commercial along with a lot-line change located in the vicinity of Souder and Allentown Roads. Public Hearing commenced at 7:18 PM. No comments were heard from the public. Hearing closed at 7:20 PM. A motion was made by Mr. Barndt and seconded by Mr. Kratz to approve Ordinance #353. The motion carried.

A motion was made by Mr. Barndt and seconded by Mr. Darrah to authorize the Township Manager and Township Solicitor to prepare and advertise an Application from the Souderton Mennonite Home to Re-Zone certain parcels from R-130 Residential to Industrial.

A motion was made by Mr. Barndt and seconded by Mr. Kratz to authorize the Township Manager and Township Solicitor to prepare and advertise an Application for Re-Zoning of certain parcels located along Godshall and Lower Roads from R-175 Residential to R-130 Residential.

Mr. Kuhls re-opened the public hearing that had been continued from the June 17, 2008 Work Session regarding a request to transfer Liquor License # R-1154 from Whitpain Township to Fasageo's II Italian Restaurant located at the Indian Valley Shopping Center, 217 Telford Pike, Suite #1. Comments were presented to the BOS with one opposition from Mr. Douglas Johnson, Esquire, representing the Indian Valley Meadows Homeowners Association consisting of 172 townhouse units. The opposition is against the selling of

package beer from the establishment, but not selling of alcohol within the restaurant. Several other members from the public commented favorably on the request for transfer. A petition with approximately 200 signatures in support of the Transfer was presented to the Board, the business has established closing time of 11 PM on Fridays and Saturdays and 10 PM on all other days. The BOS engaged in a public discussion prior to any action. There was a concern about the sale of package beer and future owners of the establishment if sold with the liquor license. Mr. Butera, Esquire, attorney for the business owner indicated that the liquor license would belong to Mr. Samuel Farina and he may be subject to similar requirements to sell the license. Mr. Farina stated that approximately 25% of his sales would be liquor and approximately 3-5% would be packaged sales. The public hearing was closed at 7:43PM. A motion was made by Mr. Barndt and seconded by Mr. Freed to adopt Resolution 08-23-20-05, A resolution for Transfer of Liquor License Number 11154 from Whitpain Township into Franconia Township to be located at the Indian Valley Shopping Center, 217 Telford Pike, Suite #1 (Fasageo's 2). Mr. Godshall, Mr. Freed and Mr. Darrah voted in favor of the Resolution and Mr. Barndt and Mr. Kratz voted against the Resolution and the motion to adopt Resolution 08-23-20-05 carried.

A motion was made by Mr. Kratz and seconded by Mr. Darrah to authorize and approve the execution of a Traffic Signal Maintenance and Monitoring Agreement between Franconia Township and PennDOT by the appropriate Township Officials for a signal to be established at Wambold and Allentown Roads (SR 1058).

A motion was made by Mr. Kratz and seconded by Mr. Freed to authorize the preparation of a Traffic Signal Permit for Elroy and Allentown Roads.

A motion was made by Mr. Godshall and seconded by Mr. Kratz to grant a six-month extension to Resolution 08-20-21-04, (THP – Lincoln Woods) to expire on December 31, 2008.

POLICE REPORT – JOSEPH KOZENIEWSKI

Chief Kozeniewski submitted the Police report for May 2008.

ZONING REPORT – KEVIN D. BAVER

Mr. Baver submitted his report for May 2008.

HIGHWAY REPORT – PAUL NICE

Mr. Paul Nice submitted his report for May 2008.

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

Mr. Wert submitted his report for May 2008.

TREASURER’S REPORT – KEVIN D. BAVER

A motion was made by Mr. Darrah and seconded by Mr. Freed 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. 08-17-06 dated June 17, 2008 in the amount of \$ 358,999.82. The motion carried unanimously.

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 June 14, 2008 through July 12, 2008 according to the hours worked as listed on the Payroll Journal for the aforesaid period. The motion carried unanimously.

BIDS

A motion was made by Mr. Darrah and seconded by Mr. Kratz to award the bid for the 2009 12,000 lb GVW/4-Wheel Drive Truck Chassis to Bergey Truck Center of Franconia, PA in the amount of \$36,334.00. The motion carried unanimously.

A motion was made by Mr. Darrah and seconded by Mr. Godshall to authorize the township manager to prepare bid specifications and to advertise for bids for the following items:

- a) Gasoline
- b) Diesel Fuel
- c) No. 2 Fuel Oil
- d) Propane Gas

The motion was unanimously approved.

LAND DEVELOPMENT

1. A motion was made by Mr. Freed and seconded by Mr. Kratz to grant Preliminary/Final Approval of the Merrill Landes Reverse Subdivision (#05-06) – 690 Clemens Road. The motion carried unanimously.

PERSONNEL

A motion was made by Mr. Barndt and seconded by Mr. Godshall to hire Mr. Joe Viola as a Part-Time Patrol Officer effective Monday, June 23, 2008. The motion carried unanimously.

ANNOUNCEMENTS

The Franconia Township Planning Commission will hold Regular Meetings on Monday, July 7, 2008 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 Monday, July 21, 2008 at the Franconia Township Municipal Building, 671 Allentown Road, Franconia, Pennsylvania 18924. The Board of Supervisors Work Sessions will be held on Friday, July 11, 2008 at 7:00 a.m. and Monday, July 21, 2008 at 5:00 p.m. at the same location.

MOTION TO ADJOURN

A motion was made by Mr. Barndt and seconded by Mr. Godshall to adjourn the meeting at 7:59 p.m. The motion carried unanimously.

Respectfully submitted,

Kevin D. Baver, Secretary