

FRANCONIA TOWNSHIP

**REGULAR MINUTES**

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**BOARD OF SUPERVISORS**

Chairman Grey R. Godshall called the Regular Meeting of the Board of Supervisors to order on Monday, April 20, 2015 at 7:03 p.m. at the Municipal Building, 671 Allentown Road, Telford, Pennsylvania 18969.

Present were 1<sup>st</sup> Vice-chairman David B. Fazio, 2<sup>nd</sup> Vice-chairman Robert H. Nice, and Supervisor Steven P. Barndt. Also in attendance were, Township Manager Jon A. Hammer, Assistant Township Manager Jamie P. Worman, Chief of Police Joseph Kozeniewski, Township Solicitor Eric Wert, Esquire, Finance Director Ami L. Tarburton, Building Inspector Jerry Rittenhouse and Roger M. Koffel, and interested residents of Franconia Township. Absent were Township Supervisor Curtis N. Kratz, Public Works Director Paul R. Nice, Township Engineer Cindy VanHise, P.E., and Township Solicitor Frank R. Bartle, Esquire.

**OPEN MEETING TO THE PUBLIC**

Mr. Godshall opened the meeting to the public.

Ms. Pat Myers of 358 Kempton Court requested to discuss a drainage issue on her property with the BOS. She explained that the runoff in their backyard has gotten much worse over the past two years and they are experiencing severe erosion. The couple met with the Public Works Director a few years ago, but since that time there has been increased drainage and rapid erosion. Ms. Myers added that they had a landscaper come out to their property to evaluate the situation. The landscaper suggested they seek guidance from an engineer. Ms. Myers provided photographs of the situation and information pertaining to the culverts that she believes are contributing to the problem. According to Ms. Myers, a culvert that runs down from the farmer's field and empties into Berkshire Drive, two culverts in Beck Road, the culvert at Turnberry along with the drainage pipe in Mininger Road, have all created an issue of too much volume and sediment. Ms. Myers added that there has been much more erosion since the THP development was completed and the fact that there are 5-9 drains emptying into one has created a major issue for them. She feels the problem is beyond them and that their house is currently about 25 feet away from the ditch. Mr. Godshall asked Mr.

Hammer to arrange for the Public Works Director and Township Engineer to go out to the site. Mr. Hammer agreed and said that he could arrange to have them come out within the next week or two. Ms. Myers questioned what happens after they come out to the site. Mr. Godshall replied that they will have to make a recommendation based on what they see.

Mr. Gerald Thiel, 811 Allentown Road, explained that over the past four months he has requested that the BOS have additional audits performed on the past budgets of the Township. He continued that he felt there may have been a misunderstanding about what he was requesting. He explained that he had requested two things. The first thing he asked was that the BOS look into the items he thought may have been illegal. The second thing he asked was that the Finance Committee look into or restudy things based on the information he provided. Mr. Thiel added that if this information is not investigated by the Township then he will need to go to the County and request an investigation. Mr. Thiel addressed the BOS's concern that a forensic audit would be very costly, he noted that he could go to the County and they would pay for it. He requested that the BOS let him know what they are going to do, but he stressed that he thinks the Finance Committee needs to take a second look at things. Mr. Nice replied that he appreciated the information that Mr. Thiel submitted and on behalf of the Finance Committee he would like to announce that they are going to make a financial presentation that will be open to the public. Mr. Nice explained that this presentation would not be a BOS meeting, it would just be an open meeting. He added that he would be willing to have it at the Township building or a larger venue if needed. He also noted that they want people to come out, the more people the better. He mentioned that a date had not yet been selected but that they were aiming for the last week of May or the first week of June. He continued that they want to get to the bottom of this whole financial issue and put it to bed. Mr. Thiel thanked Mr. Nice and offered to get the word out to people. Mr. Thiel suggested that the Friends of Franconia group could also assist with getting the word out to people.

Mr. Tom Scalfani, 360 High Street, presented an example of the information packet that is distributed to the public during BOS meetings at Hatfield Township. He suggested that something similar be provided at Franconia Township's BOS meetings.

Ms. Bonnie Miller, 354 High Street, gave a brief update on the Community Advisory Council (CAC). She commented that she felt the newspaper did a nice summary on the proposal. She explained that the financial function of the CAC was not supported. However, the communication and strategic planning functions was something the BOS would consider along with appointing a resident to the Finance Committee. Ms. Miller added that she was not aware of the Finance Committee and could not find an agenda or committee information listed on the website. However, she did notice a letter from Mr. Hammer announcing an email sign-up to receive Township updates and information. Ms. Miller encouraged people to go onto the website and sign-up. Ms. Miller concluded that while the CAC was not fully embraced, she thought that assisting with revisions to the comprehensive plan and possibly assisting with communication and the Finance Committee was a start. She added that she has encouraged people to submit a volunteer application along with their CV's. Mr. Godshall added that the BOS want to wrap up the financial issues and take a look at where we are now and move forward.

Ms. Tara Gray, 453 Mininger Road, reported that the agenda for this evening's meeting was not available on the website. She also noted that the minutes were not on the website. She expressed her opinion that the draft minutes should be added to the website so that they can be reviewed by residents prior to being approved at a meeting. Ms. Gray then asked if there had been any progress with the possibility of videotaping the meetings. Mr. Godshall replied that they have been preoccupied with the financials, but the Solicitor and Township Manager are looking into it. Mr. Tom Scalfani, 360 High Street, asked if they had contacted the high school since they have a public channel. Ms. Gray offered to do that for the BOS. Mr. Godshall replied that the Township needs to develop a plan on how to handle the record retention required with videotape archives. Ms. Bonnie Miller, 384 High Street, commented that she would argue that developing a plan would be part of the communication piece of the CAC. She added that the CAC could do an overall assessment of the communication needs of the community and establish a baseline of where it is today. Mr. Godshall replied that the BOS needs to know what they need to do. Ms. Peg Hofner, 415 Moyer Road, question why the Township can't use their resources and just ask a neighboring community what they do since there are so many townships that do it. Mr. Ed Tosten, 165 Kingsfield Drive, commented that the BOS is interested in coming out to the HOA meetings to discuss issues but there is no time for that. The meetings are too busy with the neighbor issues. He added

that videotaping is important and is something that should be done to provide residents access to what is happening. Mr. Fazio questioned if the request is to tape the meetings or for live coverage in real time. Mr. Tosten replied that it didn't matter but it was something that should be a priority. Mr. Godshall replied that there is not necessarily a problem with the request it is just understanding everything involved. Ms. Tina Kell, 365 High Street, commented that it is 2015 and there are no tapes it is called video on demand. She added that the BOS needs to figure out how to do it and get it done. Mr. Godshall replied that they have to look into how this will impact the Right-To-Know Act and what that will mean for the Township. Mr. Tom Scalfani, 360 High Street, questioned how long that has to take. He added that we've been talking about it since December and nothing has been done. He requested that the BOS commit to get it done within 60 days. Mr. Wert replied that the Township has to do its own due diligence. Ms. Tina Kell, 365 High Street, questioned what has been done up to this point. Mr. Hammer replied that he is very familiar with this process and that the Township is exploring the different options they were charged with at the meeting last week. That is what has been done at this point. Mr. Godshall added that the BOS cannot commit to 60 days. Ms. Bonnie Miller, 354 High Street, volunteered herself and Ms. Tara Gray to gather this information for the BOS. Mr. Godshall replied that he did not want them to waste their time at this point. Ms. Tara Gray, 453 Mininger Road, noted that it took her less than 30 seconds to pull up the information online. She referenced Hatfield Township's videotaping policy. Mr. Wert replied that Hatfield Township is a 1<sup>st</sup> Class Township and has different requirements than a 2<sup>nd</sup> Class Township. He added that what she pulled up may be their internal policy that was developed by their board. Ms. Gray replied that regardless, the issue is that there is a lack of action on behalf of the BOS, which is why everyone is upset. She continued that she realizes the BOS may think these things are trivial but they are upset that nothing has been done. Ms. Peg Hofner, 415 Moyer Road, added that Mr. Bartle's firm is probably well aware of this process. Mr. Tosten, 165 Kingsfield Drive, added that the problem is there are no answers. The BOS just keep saying it over and over again that they will look into things. They keep looking into things and nothing happens. Mr. Scalfani asked again why the BOS could not commit to a date. Ms. Peg Hofner mentioned that when she stood at the polls at Peter Becker there were so many people wanting to know what is going on but can't get out to meetings. She added that these people want to be able to view the meetings and it is a violation of their rights that they are unable to do so. Mr. Godshall replied that they are working on it. They brought it up two weeks ago and they will

prioritize it. Ms. Kell added that they brought it up 6 months ago. Mr. Rick Brinkman, 417 Mininger Road, questioned why the BOS did not take the residents up on their offer to help gather the information for them. Mr. Godshall replied that it isn't that they don't want them to help, they just need to do the research on their end first.

Ms. Shirley Hackman of Hopewell Christian Church announced that she has reached out to other churches about community events. She explained that in the past they have hosted an annual bike rodeo at their church. Last year the rodeo was moved to the park and the church participated in the annual National Night Out event. She continued that when she heard that there would no longer be a National Night Out event, it motivated her to plan a community event. She reported that she had contacted Mr. Hammer and he was supportive of her idea. She added that she believes this type of event would be a great idea in this type of situation. Ms. Hackman explained that at this time there is no single entity willing to take this on, but we have been given some suggestions about possibly combining events. Ms. Hackman then announced that Hopewell Christian Church will be hosting a combination community day at the Franconia Community Park that will include vendors and a softball game, along with a brief ceremony honoring first responders. She added that the proceeds will benefit the Keystone Opportunity Center. Ms. Hackman also noted that she is making contacts now and trying to plan a bigger event but that will be pushed out until 2016. She thanked Ms. Worman who invited her to come out to a Park & Recreation Board meeting to discuss this. Ms. Mary Scalfani of the Friends of Franconia, thanked Ms. Hackman for her presentation and offered to help with this event. Ms. Peg Hofner, 415 Mininger Road, commented that she has noticed a number of sale signs going up and that something like a community day is a wonderful thing to see, but it is a shame that the BOS could not do more. Mr. Godshall asked Chief Kozeniewski to explain what happened with National Night Out. Chief Kozeniewski explained that the NNO event had just gotten too big. It became a massive undertaking where there just wasn't' enough resources to keep it going. He added that the previous secretary was spending all of her time working on this event all year, and then when the event came it was difficult to arrange for staff to help work the event.

Ms. Peg Hofner, 415 Moyer Road, questioned how Franconia Township could become a 1<sup>st</sup> Class Township rather than a 2<sup>nd</sup> Class Township. Mr. Wert replied that it is based on population. Mr. Hammer explained that the class designation is based on the way the local

government is structured. He continued that you can have very sophisticated 2<sup>nd</sup> Class Townships and unsophisticated 1<sup>st</sup> Class Townships. Mr. Tom Scalfani, 360 High Street, made a suggestion that the churches and non-profits in the community combine and help do some of these events. They don't pay taxes so maybe this is a way they can be involved and help. Mr. Doug Killough, 43 Cowpath Road, questioned how someone could find out what parcels are not taxed. Mr. Hammer asked if he wanted actual properties. Mr. Killough replied that yes that was what he wanted. Ms. Myers, 358 Kempton Court, referred back to a comment made earlier about the churches becoming involved in community events and wondered if it was really appropriate for the government to tell a church how to spend its time.

Mr. Norm Hartzell, 921 Landis Road, reported that since the closing of Morwood Road, Creamery Road has become a main thoroughfare. Due to the increase traffic, the roadway is a mess with very large potholes. He continued that the roadway needs to be repaired and he wondered if the Township could maintain the road since they plow it. The pothole at the light at Allentown Road is very dangerous. He also mentioned a concern regarding pulling out of Landis Road. He said with the crest of the hill it is really hard to tell if a car is coming or not. Mr. Godshall replied that staff will reach out to the project liaison regarding Creamery Road and request that it get repaired. Ms. Worman added that the Public Works Department are contracted for snow removal but they are not contracted for road maintenance so that would have to go through PennDot. She also added that the problem with pulling out of Landis Road has always been an issue with the hill there, it is just more noticeable because of the increased traffic.

#### **APPROVAL OF MARCH 16, 2015 MEETING MINUTES**

Mr. Fazio made a motion to approve the minutes from the March 16, 2015 regular meeting. Mr. Nice seconded the motion. The motion passed.

#### **SOLICITOR'S REPORT – ERIC WERT, ESQUIRE**

Mr. Wert requested authorization to prepare and advertise proposed Ordinance#-383. Mr. Wert explained that this ordinance was an ordinance pertaining to storage/garden sheds and a modification to the front yard setback requirement in the C-Commercial District. A few members of the audience questioned what this ordinance was and what was being approved.

Mr. Wert explained that nothing was being approved, the BOS was being asked to authorize the preparation of an ordinance and once prepared it would be advertised and available for public review. He added that it was to address a few issues with sheds. Ms. Peg Hofner, 415 Moyer Road, questioned why we needed another ordinance there were enough restrictions on sheds already. Ms. Worman replied that this ordinance is to clean up some of the inconsistencies in the code and address the issues we're encountering with sheds. She also added that once the ordinance is prepared there will be a thirty day review period, at which time, the ordinance will be available for the public to review it. Mr. Barndt made a motion to authorize the preparation and advertisement of Ordinance #383. Mr. Fazio seconded the motion. The motion passed.

#### **POLICE REPORT- CHIEF JOSEPH S. KOZENIEWSKI**

Chief Kozeniewski submitted his report. He reported that there have been a number of complaints regarding an Officer Johnson calling people claiming to be from the IRS. He explained that these calls were fraudulent. He also announced that there is a prescription drug drop box located in the lobby of the police building. The department will be holding a drop-off event over the weekend of April 15, 2015. Ms. Theresa Hettel, 327 Elmwood Lane, suggested that something be placed in the newsletter notifying people of these fraudulent calls as they are usually targeted at seniors.

#### **ZONING OFFICER REPORT-JAMIE P. WORMAN**

Ms. Worman submitted her report. She noted that there are three hearings scheduled for May.

#### **HIGHWAY REPORT & ENGINEERING REPORT- JON A. HAMMER**

Mr. Hammer submitted the Highway Report and Engineering Report on behalf of Paul R. Nice and Cindy L. VanHise, P.E.

#### **TREASURER'S REPORT – JON A. HAMMER**

A motion was made by Mr. Nice and seconded by Mr. Fazio 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. 15-20-04 dated April 20, 2015 in the amount of \$363,408.11 The motion carried unanimously.

### **PAYROLL**

A motion was made by Mr. Nice and seconded by Mr. Fazio for the Treasurer to be authorized to pay all employees during the pay period of April 18, 2015 through May 15, 2015 according to the hours worked as listed on the Payroll Journal for the aforesaid period. The motion carried unanimously.

### **LAND DEVELOPMENT-NO ITEMS**

### **UNIVEST BANK-DEBT RESTRUCTURING**

Mr. Hammer reported that the Finance Committee has recommended that the General Obligation Note of 2011 be restructured. He explained that the \$2.1 Million GO Note currently has an interest rate of 5.5%. The refinancing of the debt will reduce the interest rate to 2.75% for a seven year fixed term. He also noted that the refinancing will provide the Township with significant short-term savings. Mr. Hammer introduced Mr. Jim Borum of Univest and explained that Mr. Borum was present to offer any additional explanation or answer any questions. Mr. Borum noted that the rate was fixed for seven years with no pre-payment penalty. Mr. Borum also mentioned that Univest feels very comfortable working with the Township especially in light of the steps they have taken to put themselves back on better financial footing. Mr. Godshall questioned the estimated savings from the restructuring. Mr. Hammer replied that they estimated a savings of \$550,000.00. Ms. Theresa Hettel, 327 Elmwood Lane, questioned what happened to the rate after seven years. Mr. Hammer replied that that was a very good question and explained that after the seven years the rate would become variable. Once that occurs the Township can refinance if that don't like the new rate. Mr. Barndt made a motion to proceed with the refinancing. Mr. Fazio seconded the motion. The motion passed.

**ANNOUNCEMENTS**

The appropriate Franconia Township Officials will conduct a BOS Road Inspection beginning at approximately 8:15 a.m. on Wednesday, May 13, 2015 from the Franconia Township Municipal Building, 671 Allentown Road, Franconia, PA 18969.

The Franconia Township Planning Commission will hold its Regular Meeting on Monday, May 4, 2015 at 7:00 p.m. at the Franconia Township Municipal Building, 671 Allentown Road, Telford, Pennsylvania 18969.

The next Regular Board of Supervisors meeting will be held at 7:00 p.m. on Monday, May 18, 2015 at the Franconia Township Municipal Building, 671 Allentown Road, Franconia, Telford, Pennsylvania 18969. The Board of Supervisors Work Session will be held on Wednesday, May 13, 2015 at 4:00 p.m. and Monday, May 18<sup>th</sup>, 2015 at 5:00 p.m. at the same location.

The annual Fishing Derby will be held on Saturday, May 9<sup>th</sup>, 2015 at Branchwood Park, on Camp Road from 9:00 a.m. until 11:30 a.m.

**MOTION TO ADJOURN**

A motion was made by Mr. Nice and seconded by Mr. Fazio to adjourn the meeting at 8:15 p.m. The motion carried unanimously.

Respectfully submitted,

Jamie P. Worman