

July 21st, 2026

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 Jr., and Leroy Kemmerer, Solicitor Tom Nanovic as well as Secretary-Treasurer Cady Guy. A list of others in attendance is attached to the Minute Book. Chairman Nic Storm called the meeting to order at 6:30 p.m., and led those present in the Pledge of Allegiance to the American Flag.

After the pledge of Allegiance, Nic Storm stated there was a discussion about an executive session that was held on July 20th, 2026, with attorneys and supervisors to discuss legal matters and a real estate purchase Phifer Rental Company.

Approval of Minutes

Fred Kemmerer made a motion to approve the June 16, 2026, meeting minutes. Nic Storm seconded the motion. Motion carried unanimously.

Secretary's Report

Cady Guy provided an update on ongoing work with Diana from Numbers Made Easy, including reviewing additional QuickBooks functions and verifying the accuracy and completeness of financial records and transactions. Cady also reported that the Recycling Center is now open to residents with operating hours on Thursdays from 3:00 p.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 12:00 p.m. The Recycling Center is located behind the Police Station and Maintenance Building. Residents may obtain recycling passes and tire vouchers at the Township Office during regular business hours. There is a fee only for tire vouchers; recycling passes are provided at no cost.

Upcoming meeting dates were also provided: Building Committee on August 4, 2026, at 7:00 p.m.; Planning Commission on August 13, 2026, at 6:30 p.m.; Board of Supervisors on August 18, 2026, at 6:30 p.m.; and Recreation Committee on August 11, 2026, at 6:30 p.m.

Fred Kemmerer made a motion to approve the Secretary's Report. Nic Storm seconded the motion. Motion carried unanimously.

Treasurer's Report

Nic Storm Made a motion approving the Treasurer's Report. Fred Kemmerer seconded the motion. Motion carried unanimously.

Zoning/UCC Building Code Report

Zoning Officer Jim Macort submitted his report for June 2026. Fred Kemmerer. moved to accept the Zoning and UCC Building Code Report. Nic Storm seconded the motion. Motion carried unanimously.

Fire Chief's Report

Fred Kemmerer made a motion to accept the Fire Company and Fire Police Reports. Nic Storm seconded the motion. During discussion, clarification was requested from Fire Chief Lynn Diehl regarding the report format, specifically whether the letters listed above each column represented individual names and whether the checked boxes indicated the different events

attended. Chief Diehl confirmed that the information was correct and explained that attendance tracking is completed by the individuals themselves. The motion carried unanimously.

Police Reports

Fred Kemmerer made a motion to accept the Police Report. Nic Storm seconded the motion. The motion carried unanimously.

Road Crew Report

Nic Storm made a motion to accept the Road Crew Report. Fred Kemmerer seconded the motion. Open discussion; Supervisors would like the timesheets attached for future meetings. The motion carried unanimously.

Central Carbon Municipal Authority

Fred Kemmerer made a motion to accept the CCMA Report. Nic Storm seconded the motion. Fred Kemmerer stated that he received the yearly audit and is available at the township for public to review. The motion carried unanimously.

SEO Report

Nic Storm made a motion to accept the SEO Report. Fred Kemmerer seconded the motion. The motion carried unanimously.

Planning Commission Minutes

Nic Storm made a motion to accept the Planning Commission Minutes. Fred Kemmerer seconded the motion. The motion carried unanimously.

Recycling Report:

Nic Storm made a motion to accept the Recycling Report. Fred Kemmerer seconded the motion, followed by discussion.

Fred Kemmerer expressed appreciation to the volunteers who have been assisting with the recycling efforts and noted that no funds have been spent on overseeing the recycling program. It was discussed that volunteers are essential in keeping operating costs down, as recycling is not a profit-generating program but rather an effort to reduce the amount of material going into the garbage stream. Updates from the first week of operation at the Recycling Center were provided, the recycling center was open for 7 days, reporting that 113 vehicles utilized the facility to drop off materials. It was also reported that 358 recycling passes have been distributed to residents, indicating a positive start to the program. The motion carried unanimously.

Communications

Nic Storm presented the annual contribution budget for the Volunteer Fire Company. Fire Chief Lynn Diehl was invited to accept the check. The Board expressed their appreciation and gratitude to the Fire Department for their continued service and dedication to keeping the community safe.

Citizen Participation

Jill Renfrew asked if it was appropriate to ask questions regarding the reports presented

during the meeting. Nic Storm replied that it was. Jill first inquired about the "Net for the Period" listed on the Treasurer's Report. Nic Storm asked if she would like a copy of the report, which was provided, and she reviewed it.

Jill then asked how many hours the Road Crew worked and what projects had been completed. Nic Storm read the Roadmaster's Report, which stated that the Road Crew had been mowing, weed eating, cleaning up storm damage, replacing a manhole cover, assembling recycling dumpsters, cutting and patching roads as needed, trimming trees, and replacing a drain culvert. Jill commented that she would like to see more detailed Roadmaster reports in the future, including the specific roads worked on and the amount of time spent on each project, as she felt the current report did not clearly reflect the work being completed.

Jill also asked how much the Township contributes annually to the Volunteer Fire Company. Nic Storm stated that the contribution check totaled **\$50,000.00**. Fred Kemmerer explained that **\$40,000.00** is allocated directly to the Volunteer Fire Company for operations, while the remaining **\$10,000.00** is designated for a firefighter retention and recruitment incentive program. He further explained that the incentive funds are distributed based on participation and service, as tracked by the Fire Company and Fire Police, and are not automatically provided simply for joining. Fire Chief Lynn Diehl confirmed that members must meet established participation requirements to receive a share of the incentive funds. Jill expressed her appreciation to the firefighters for their continued service to the community.

Stephen DeLello addressed concerns regarding tree trimming along several Township roads, including Fairyland Road, Pine Cove Court, Jefferson Street, Pohopoco Drive, and Green Street. He explained that low-hanging branches are striking commercial vehicles approximately 12 to 13 feet in height and stated that he believes the Township's minimum clearance requirement is 14 feet. He described several roadways as having become "tunnels" due to overgrown trees and stated that branches should be trimmed back to the edge of the asphalt in accordance with Township ordinances. Mr. DeLello stated that he had contacted both the Road Crew and Township Office regarding the issue but had not received a response or seen the work completed. Leroy Kemmerer commented that he understood the concerns, noting that while driving a school bus he often must move toward the center of the roadway to avoid overhanging branches. Mr. DeLello acknowledged that some trimming had been completed but stated that the work was not finished and suggested it appeared the Road Crew may have been waiting for authorization. Nic Storm responded that no one was preventing the Road Crew from completing the work. Mr. DeLello further stated that the Roadmaster had advised him to simply drive in the center of the road to avoid the branches. Nic Storm confirmed that Mr. DeLello had received that information from the Roadmaster. Fred Kemmerer asked Fire Chief Lynn Diehl whether the Fire Company's apparatus encountered similar issues with low-hanging branches. Chief Diehl replied that there are occasional issues but explained that when responding to emergencies, firefighters are focused on reaching the scene as quickly as possible and are less concerned about contacting branches.

Mr. DeLello asked whether residents could be notified when tree trimming work was scheduled on the affected roads. Fred Kemmerer stated that this concern aligned with earlier comments regarding the need for improved planning and communication. He explained that the Board would like to see more detailed information regarding completed work, roads that still require attention, and future work schedules, emphasizing that effective planning is essential. He stated that he would make sure the issue was addressed. Mr. DeLello suggested that, if necessary, the Township may need to hire a tree-trimming contractor to complete the work

because of the amount of work involved and the cost of residents whose equipment is being damaged. Leroy Kemmerer also expressed concerns about potholes not being repaired, overgrown grass, winter road maintenance, and roads not being plowed wide enough. He stated that, in his opinion, the Roadmaster was not adequately addressing these issues and noted that some work on his road was not complete until he discussed concerns regarding his farm equipment. He commented that residents are noticing that needed maintenance is not being completed. Fred Kemmerer responded that the Township has invested significant funds into repairing equipment and recently purchased a new roadside tractor to improve maintenance operations.

Terry Shaner asked who was responsible for maintaining the traffic signal at the intersection of Routes 248 and 209, noting that it had been malfunctioning for more than a month. Nic Storm explained that the Township's previous traffic signal maintenance company, Telco, had gone out of business, resulting in an unexpected interruption of service. He stated that the Township has retained a new company, which also services Lehigh, to provide emergency traffic signal maintenance and has been working with them to resolve the issue. Fred Kemmerer added that the contractor must also be capable of responding when power outages occur to connect backup generators.

Jill Renfrew requested that the Board of Supervisors review how projects are being prioritized to ensure Township needs are addressed appropriately. She acknowledged that the Roadmaster is new to the position and recognized that the supervisors have significant responsibilities. Nic Storm explained that road maintenance issues are discussed regularly behind the scenes and stated that while the Roadmaster is an experienced and hardworking employee, he is still transitioning into the planning and scheduling aspects of the position. Stephen DeLello asked whether the supervisors maintain a work list for the Roadmaster. Nic Storm replied that maintaining such a list should primarily be the Roadmaster's responsibility and noted that any concerns received by the supervisors are forwarded directly to him. Fred Kemmerer stated that the Board has previously attempted to implement work tracking but explained that unforeseen events, such as the Fourth of July storm cleanup, often require scheduled projects to be postponed. Mr. DeLello suggested that, if scheduling remains a challenge, additional guidance or assistance may benefit the Roadmaster.

Terry Shaner also asked about the Township's obligations when a sketch plan is submitted for a proposed project. Fred Kemmerer explained that a sketch plan is an informal submission intended to present a concept and that no statutory review timeline begins upon its submission. Mr. Shaner then asked who is responsible for paying engineering review costs associated with a sketch plan, including a six-page review letter. It was discussed that the applicant is responsible for those costs and that existing escrow funds established for one project should not be applied to a different project or property. The Board suggested that they would be contacting the Township Engineer to clarify payment procedures and ensure that an appropriate escrow account is established if necessary.

Unfinished Business

The request for the Fire Police assisting the Lehigh Fire Police with traffic control for the Witches Market. Fred Kemmerer made a motion to open the discussion. Nic Storm seconded the motion. The motion carried unanimously. Fred Kemmerer states the reason he would like to deny this event is because it is a for-profit event. Nic Storm made a motion to deny the request. Fred Kemmerer seconded the motion. The motion was carried unanimously.

New Business

1. Nic Storm made a motion to open bids received for the Tar and Chip Road Program. Fred Kemmer seconded the motion with discussion.

Opening of bids for seal coat on various roads within Franklin Township, Two bids proposals were received. The first bid was opened and read as follows: (Pocono Spray Patching, Inc.)

Opening of bids for seal coat on various roads within Franklin Township, Two bids proposals were received. The second bid opened and read as follows: (Asphalt Maintenance Solutions, LLC)

Nic Storm made a motion to table the bids for the 2026 Bituminous Seal Coat Project and schedule a Special Meeting for **Monday, July 27, 2026, at 6:30 p.m.** to determine the successful bidder. Fred Kemmerer seconded the motion. The motion carried unanimously.

2. Nic Storm motioned to approve the Electronics Recycling Event on Saturday, October 17th, 2026, from 9am- to 11am or until the collection truck reaches capacity. Fred Kemmerer seconded the motion. The motion carried unanimously.
3. Fred Kemmerer moved to approve the Franklin Township Fire Police in providing traffic control assistance for the Towamensing Township Volunteer Fire Company Care Show on Sunday, August 16, 2026, from 9am-5pm, with a rain date of Sunday, August 23, 2026. Nic Storm seconded the motion. The motion carried unanimously.
4. Nic Storm made a motion to approve the resolution approving the Community Development Plan and authorizing the inclusion of the Township's project(s) in the Fiscal Year 2026 Community Development Block Grant (CDBG) application administered by Carbon County. Fred Kemmerer seconded the motion. The motion carried unanimously.
5. Nic Storm made a motion to table action on the Agreement for Settlement of Condemnation Proceeding and Conveyance of Real Property by Deed in Lieu of Condemnation. Fred Kemmerer seconded the motion and opened a discussion. Terry Shaner asked what the difference is between the 2, Condemnation Proceeding and the Conveyance of Real Property. Nic Storm explains it's for eminent domain for the property next door. Tom Nanovic stated they are negotiating a settlement. They are close to an agreement but not quite there yet. Tom Nanovic explains that if a price isn't negotiated, it goes to a board of viewers, then potentially to trial court. They are hoping to avoid this by negotiating a settlement. Tom Nanovic mentions that the property was filed for eminent domain earlier in the year. Terry Shaner asks about liability if something happens on the property. Tom Nanovic states they don't know and that they hired a lawyer for the eminent domain. Terry Shaner asks who will mow the property and if it's higher than county regulations. Tom Nanovic says they can discuss that with their eminent domain lawyer. Terry Shaner asks about the solar panels on the land. Fred Kemmerer explains that the deed is the deed and anything on it goes with it. Terry Shaner asks if the solar panels are in a separate area or part of the land. Tom Nanovic believes

it's part of the land being condemned and that there are easements for access. Terry Shaner asks if they are paying rent. Tom Nanovic says no. Terry Shaner asks about charging them for the solar panels. Fred Kemmerer explains that easements allow access without payment and confirms that clarifying the easement is part of the current process. Terry Shaner asks about the land where the solar panels are and if it's part of the current park system. Nic Storm hopes it can be used for expansion of the park system, maintenance crew, or recycling center, as they are currently lacking space for new garbage trucks and suggests the need for sheds or a new maintenance building. The motion carried unanimously.

6. Nic Storm made a motion to accept the donation of signs from an anonymous donor for the Recycling Center. Fred Kemmerer seconded the motion. Nic Storm explains that initially, cardboard signs were used, but now they have received nice signage to specify what goes inside the dumpsters to prevent contamination. The motion carried unanimously.
7. Nic Storm made a motion to schedule a special meeting on August 5th or 10th at 6:30pm to discuss amendments to zoning ordinance. Fred Kemmerer seconded the motion. Terry Shaner asks if there are written proposals and proposals for Data Centers. Fred Kemmerer confirms there are proposals. Tom Nanovic mentions two drafts, one from Carson and one from Greg. Tom Nanovic suggests checking with Carson, and that sooner rather than later is better, ideally in August. Jill Renfrew asks if the amendments refer to the entire 2023 draft of a new zoning ordinance or specific amendments. Tom Nanovic confirms both. Fred Kemmerer explains they initially considered creating a new zone for solar and data centers but now believe a holistic approach to the zoning ordinance is better. Jill Renfrew notes it will be a long meeting. Tom Nanovic recalls a previous discussion about a map. Fred Kemmerer explains they have created drafts but haven't discussed the back-end portion. Stephen DeLello asked if we are entertaining the idea for data centers Tom Nanovic states we must zone for it. Fred Kemmerer states they must provide a use for every possible situation. Fred Kemmerer says they have two good drafts. Tom Nanovic suggests adding a meeting sooner rather than later, and if they get bogged down on the 2023 amendments, they might peel off the data center discussion as it's timely. Nic Storm asks to pick a couple of days and give Carson options, mentioning Monday as a possibility. Fred Kemmerer explains that adopting a new zoning ordinance and map is an inherent basis and requires a hearing. Tom Nanovic agrees it will still be a hearing. Terry Shaner asks about industrial zones for data centers. Fred Kemmerer suggests that's a question for Carson. Tom Nanovic suggests August 4th, 5th, 10th, 11th, or 12th. Terry Shaner asked about the drafts, if it says what zones are shown. Fred Kemmerer doesn't have the information readily available. Nic Storm asks about the next meeting date, which is the 18th. Nic Storm suggests August 5th or August 10th for a special meeting. Cady Guy confirms August 5th or August 10th. Tom Nanovic asks to be informed of Carson's availability and to advertise the dates. The motion carried unanimously.
8. Fred Kemmerer motioned to approve the service agreement with Signal Service, Inc. for the Traffic Signal Maintenance Contract. Nic Storm seconded the motion. Terry Shaner asked if we received quotes for this. Nic Storm stated that it was an emergency and Leighton recommended Signal Service. The contract is estimated to be around \$1200 per year for two years. Discussions then delve into the specifics of the contract, including hourly service rates (\$140 for a tech and service vehicle) and the potential costs

associated with emergency call-outs. The total paid for service from Telco from January to the current date is \$6,527.75, excluding a refund. It's clarified that the contract itself is under the bidding threshold, but the hourly rates for potential repairs are a concern. The motion carried unanimously.

9. Nic Storm made a motion to amend the agenda to approve a pay adjustment for employee #136 to the Journeyman CDL rate of \$21.91 per hour. Fred Kemmerer second the motion. The adjustment is due to the employee obtaining their CDL, which provides a pay bump according to the union contract. The motion carried unanimously.
10. Fred Kemmerer made a motion to approve a pay increase for employee #136 to the Journeyman CDL rate of \$21.91 per hour, effective July 21, 2026. Nic Storm seconded the motion. The motion carried unanimously.

Citizen's Questions

Brian Gasda requests to revisit the Market Hill Estate subdivision for final approval, as it was tabled at the previous meeting pending review of planning commission minutes. It's clarified that the relevant minutes would be from June or July. The subdivision is a 14-lot residential development, with a waiver requested for the number of lots due to some lots fronting on Market Street and Long Run Rd. The planning commission recommended conditional approval. There's a discussion about the review letter from Greg and the need to address his comments. The time extension for the subdivision is until December 31st, 2026. The board agrees to put the Market Hill Estate subdivision on the agenda for the next meeting, August 18th, and to review the planning commission minutes and waivers.

Cynthia May addresses the board regarding the township's alleged failure to comply with a binding legal order from the Pennsylvania Office of Open Records (OOR) concerning permit records for her property at 295 Evergreen Road. She states that the OOR found the township did not respond to their request, appeal, or justify withholding records, ordering the production of records or a signed affidavit. Mrs. May claims the township provided an unnotarized affidavit and a general statement instead of specific details. She asserts these are permit records tied to construction where American Tower Corporation is listed as the property owner, not her. Cady Guy states they have provided all available records and sent subsequent information to the OOR's designated email address. Mrs. May enquires about the validity of a permit issued to American Tower, the change in contractor, and the lease agreement between May's and American Tower. Mrs. May questions why the township is still involved with a former contractor and why a stop-work order was removed without a written reason. Mrs. May maintains that the permit was issued under American Tower and that the change is merely a different contractor performing the work. She insists on seeing the permit with the new contractor's name and all inspection records and reiterates the requirement for a written reason for removing the stop-work order. Mrs. May questioned not having an answer regarding when work started. Mrs. May mentions that if there's no inspection report, they can prove work didn't start for a 180 Days. Tom Nanovic explains that himself, Cady Guy and Jim Macort have reached out and requested additional information from Lehigh Inspections and have not received any response. Nic Storm states that inspections of job phases have been happening and that supplies were dropped off, which was conveyed to Jim, potentially starting the job and making the permit valid for five years. Speaker 9 questions when the supplies were delivered and if they were checked. Mrs. May requested why the Stop Order was taken down. She wanted it in writing. Cady Guy refers to an email stating why a work order was lifted. Mrs. May states that an

email is not written proof. Mrs. May then reads an email from Jim Macort stating he has no issue with issuing a new permit with the new contractor's name, and the issue of it being over a year old is due to delays between the landlord and contractor for modifications. Nic Storm states Jim will be in tomorrow and they would clarify if he asked for a new permit or an amendment, as they were told it's just a change of contractor and the permit is still valid. Mrs. May points out the email Jim sent. Nic Storm points out that Cynthia May just said emails don't matter but then cited an email as proof. Mrs. May clarifies that for legal purposes; Jim Macort needs it in writing. Tom Nanovic states that he should clarify that the written response should have to go to Harrisburg at Open Records. Nic Storm asks if there was a response back to Jim and if LVIS was going to change the contractor's name. Mrs. May states there was no reply from LVIS. Mrs. May reads an email stating, "Could you please share with us newly issued permit with our contractor's name on it? Let me know if you need anything else." Nic Storm asks who sent that email, and Mrs. May confirms it's from the new contractor. Nic Storm asks who the email was to, and Mrs. May says it was to them. Mrs. May reads the email again, which mentions updating the contractor and being caught in the middle, with the township wanting the permit completed and a final inspection. Nic Storm expresses surprise and states this is news to them and asks for clarification on who is supposed to know this. Mrs. May clarifies it's not Paul Jarrett, but the secretary, and questions who should do the inspection. Mrs. May states Mr. Macort is telling them to change the name and do the final inspection to wash Franklin's hands of it. Nic Storm asks for proof that he told them to do an inspection and requests the email be forwarded, stating they wouldn't speculate that someone specifically requested it. Mrs. May agreed to forward the email to the township email. Nic Storm stated that we cannot prove whether work has started or not and that being the reason why the stop order was taken down.

Mrs. May asks if the policy changed at Franklin Township for permit applications to be on Franklin Township letterhead. Cady Guy confirms they changed them. Mrs. May then states how American Tower needs that application and then it would now be in their records.

Cynthia May then brings up paying water, sewer, and garbage bills quarterly and asks if they can pay for the whole year to save postage and not receive zero balance bills. Cady Guy explains that the original person they dealt with left, and they finally got hold of someone who said anyone with a zero or credit balance will not receive a bill.

Questions from the Press

None

Nic Storm made a motion to adjourn the meeting. Fred Kemmerer second the motion. The meeting ended at 8:48pm.

Respectfully submitted,

Cady Guy
Secretary-Treasurer