

November 15, 2022

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, Robin Cressley, Jason Frey, and Secretary Brenda Cressley. An attendance sheet listing all others present 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.

Robin Cressley made a motion approving the minutes from the October 18, 2022 Township Meeting. Jason Frey seconded the motion. Motion carried unanimously.

Jason Frey made a motion approving the minutes from the November 9, 2022 Budget Workshop Meetings. Robin Cressley seconded the motion. Motion carried unanimously.

Jason Frey made a motion approving the minutes from the November 10, 2022 Budget Workshop Meetings. Robin Cressley seconded the motion. Motion carried unanimously.

Secretary's Report –

Reported there would be no change in the garbage collection for the Thanksgiving Holiday.

Announced in the near future Franklin Township will begin utilizing mobile text alerts. If you would like to receive mobile text alerts please follow the link on our website. ([franklintownshipcarboncounty.com](http://franklintownshipcarboncounty.com))

Treasurer's Report – Jason Frey made a motion to approve the Treasurer's Report. Robin Cressley seconded the motion. Motion carried unanimously.

Zoning Report - Zoning Officer Paul Jarrett submitted his report from 10/23/22 through 11/8/22. Revenue from Zoning Permits: \$315.80. Variance application fees- \$0.00. (Copies are on file)

UCC Building Code Official - Received report from Paul Jarrett, Building Code Officer from 11/1/22 through 11/1/22. Administrative fees turned in with report: \$595.00 (Copies are on file)

Fire Chief's & Fire Police Reports – The October, 2022 monthly report was submitted for Franklin Township Volunteer Fire Company and the October 2022 monthly report was submitted for the Franklin Township Fire Police. Copies are on file.

Police Report- Chief Jason Doll submitted the Police report from 10/2/22-10/29/22.

Central Carbon Municipal Authority – None Received

Communications –

Girard Pension Services submitted the third quarter investment reports from July 1, 2022 to September 30, 2022 for the Franklin Township Police Pension Plan; A copy of the paid invoice received from Girard for services rendered regarding the Police Pension Plan; (Supervisors each received copies of the third quarter reports); We received a Certificate of Recycling for collecting 2,062 lbs. of electronic waste at our October 1, 2022 E-Cycling collection day; Emails from PSATS News Bulletin, DEP, and LTAP.

Citizen Participation –

Corporal Tyler O’Shura representing the State Police, (Lehighon Barracks) was present to introduce himself and was here to answer any questions the Supervisors or public would like to ask about the service the State Police provides.

Township resident Gail Maholick was in attendance to ask for guidance on how to correct a problem that she feels is a danger to family or guests on her property. Her neighbor installed a fence on the property line and used nails that are too long. The nails extend outside of the wood creating a potential hazard. It recently happened to her husband while he was cutting the grass. The Zoning Officer said if she were to remove the nails she would be considered trespassing. She also asked if the Township had an Ordinance on lighting. Her neighbors floodlight lights up her property where she could read the newspaper at midnight using the light she receives from the floodlights. She feels this is considered light pollution. Chairman Kemmerer responded that the Township does not have such an Ordinance and suggested she talked to the Chief of Police. He will also follow up with Chief Doll on this issue.

Unfinished Business - None

New Business:

Jason Frey made a motion to table adopting the 2023 budget for all funds (General Fund, State (Liquid Fuels) Fund, Sewer Operating Fund, Recreation Fund, Fire Hydrant Fund, Road Equipment Fund, Capital Project Garbage Collection Equipment Fund, Capital Reserve Police Vehicle and Equipment Fund; Capital Reserve Building Fund; and Capital Reserve Employee Benefit Fund). Robin Cressley seconded the motion. Motion carried unanimously. There will be another budget workshop meeting scheduled in the near future and will be advertised.

Robin Cressley made a motion authorizing the Secretary to advertise the Boards’ intent to hire Independent Auditors to Audit all Township 2022’s Accounts. Fred Kemmerer Jr. seconded the motion. Motion carried unanimously.

Jason Frey made a motion to authorize Girard Pension Services as Trustee to adjust retired police officer Thomas Beltz’s COLA at a rate of 8.7% effective January 1, 2023. Robin Cressley seconded the motion. Motion carried unanimously.

Jason Frey made a motion to ratify the Irrevocable Standby Letter of Credit (#7500009040) for St. Luke’s Medical Office Building in the amount of \$2,197,361.21. Robin Cressley seconded the motion. Motion carried unanimously.

Jason Frey made a motion to approve the Franklin Heights Complex LLC Land Development and Stormwater Plans contingent on the following:

1. Carbon Engineering comments are addressed
2. Letter of Credit amount is determined
3. Development Agreement has the Solicitor's approval

Robin Cressley seconded the motion. Motion carried unanimously.

Jason Frey made a motion to approve all waivers that were requested for the Leggett MJ LLC Land Development plans from Bruce Steigerwalt (engineer for Michael Leggett) as follows per the recommendations given from Mike Tirpak (Carbon Engineering):

**1. SALDO Sec. 619:** We are requesting a waiver to the requirement for parking and loading area paving. The proposed site has paved areas where parking and loading take place. The site for the proposed storage building from the existing paved loading will be across this gravel area. **(ACCEPTABLE)**

**2. SALDO Sec. 703.n:** We are requesting a waiver to the requirement of showing the grades at the proposed site of the proposed storage building as well as the first floor elevation and any proposed grading. The present site is relatively level with a grade of plus or minus 2%. There is no additional grading proposal the area of the new building other than to provide minimal grade Adjustment at the proposed overhead garage doors on the south side of the proposed building.

**(ACCEPTABLE)** - This waiver request is acceptable with the stipulation that all the requirements for grading in the 2018 IBC are met and approved by the Building Code Official. The 2018 IBC grading requirement is as follows: The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 20 units horizontal (5-percent slope) for a minimum distance of 10 feet measured perpendicular to the face of the wall.

**3. SALDO Sec. 703.n:** We are requesting a waiver to the requirement for landscaping and lighting. There is existing landscaping and lighting presently on the property. No new landscaping or lighting is proposed as part of this project. **(ACCEPTABLE)**

**4. SALDO Sec. 703.z:** We are requesting a waiver to the requirement for a landscaping plan. The site has existing landscaping and no new landscaping is proposed as part of this project. **(ACCEPTABLE)**

**5. SALDO Sec. 703.b:** We are requesting a waiver to the requirement for providing the Act 172 serial number for the One Call and the Act 287 information on the plan.

**(ACCEPTABLE)**The One-Call Act 287 should be included on the plan. If the developer and their engineer do not wish to follow the law outlined in Act 172 and wish to accept the liability for this decision it is their prerogative. The Township has no liability if the developer chooses not to follow the One-call law.

Robin Cressley seconded the motion. Motion was carried unanimously.

Robin Cressley made a motion to give final approval for the Leggett MJ LLC Land Development contingent upon the updated plan is provided to the Township (ex: Waivers requested need to be placed on the plan). Jason Frey seconded the motion. Motion carried unanimously.

Robin Cressley made a motion to hire Bobby Smith as a full-time road crew/garbage crew employee retroactive to November 14, 2022. Jason Frey seconded the motion. Motion carried unanimously.

Jason Frey made a motion to approve the request for the Franklin Township Fire Police to assist with traffic control during the annual Snowflake 5K walk/run to be held in Lehighon Borough on December 10, 2022 beginning at 8:00 a.m. Robin Cressley seconded the motion. Motion carried unanimously.

Robin Cressley made motion to appoint Anthony Frantz as a Planning Commission Member to replace Michael Quinn effective immediately. Jason Frey seconded the motion. Motion carried unanimously.

Citizen Questions/Comments - None

Questions from the Press: None

Robin Cressley made a motion to adjourn the meeting at 8:15 p.m. Jason Frey seconded the motion. Motion carried unanimously.

Respectfully Submitted

Brenda Cressley, Secretary