

**FRANKLIN TOWNSHIP BOARD OF SUPERVISORS  
MINUTES**

**May 3, 2010  
7:00 P.M.**

**FRANKLIN TOWNSHIP FIRE HALL**

Chairman Dymond called the regular meeting of the Franklin Township Board of Supervisors to order on Monday, May 3, 2010 at 7:00 p.m., in the Franklin Township Fire Hall.

Chairman Dymond led the Pledge of Allegiance

Supervisors:	Present:	Ted Dymond, Chairman Michael Prokopchak, Vice-Chairman William Miller, Supervisor
	Others:	Art Owen, Roadmaster Richard A. Melvin, Secretary/Treasurer Vito DeLuca, Solicitor Ryan Doughton, Engineer Representative Seven visitors

Motion was made by Mr. Prokopchak, seconded by Mr. Miller to waive the reading of the minutes of the April 5, 2010 regular meeting and to accept the minutes as posted. The motion carried unanimously.

Mr. Melvin gave the Treasurers report reciting the combined balances for all funds as of April 30, 2010 totaled \$211,695.47. Mr. Miller made a motion, seconded by Mr. Prokopchak to approve the April 2010 Treasurers report, to approve payment of bills totaling \$19,199.89 and to approve payrolls and payroll taxes in the amount of \$10,149.10. The motion passed unanimously.

**MEETING OPEN TO THE GENERAL PUBLIC ON AGENDA ITEMS ONLY.**

Sherry Emershaw, 92 Jakemoore Road asked about what ordinances or preparations Franklin Township is making in regard to the eventual arrival of gas companies wanting to drill in the township. Chairman Dymond explained the township has been involved on a monthly basis with the Back Mountain Community Partnership and that many of the issues not already determined in the Oil and Gas Act, will be addressed either by neighboring townships or by litigation that has currently not been resolved. Franklin Township will follow the results of any challenges to current laws to determine what further actions the township can legally enact and enforce.

**CORRESPONDENCE AND COMMUNICATIONS**

Mr. Melvin recited the March monthly and annual report for the Franklin & Northmoreland Township Ambulance Association. They have completed their 48<sup>th</sup> year of service. A letter was received from the Luzerne County Board of Assessment Appeals authorizing a refund of real estate taxes of \$27.92 to a property owner in the township. A letter received from the Luzerne Conservation District informing the township that the proposed dirt and gravel road

project funding was not approved for this round and to apply again in the next round of funding in the early Fall of 2010. A complaint was registered at the township concerning water being discharged on to a property on Lake Louise Road. The Zoning Officer has observed the water pooling on the adjacent property and is continuing efforts to resolve the complaint. As directed at the April Regular Meeting, the Secretary sent a letter to the property owner of the land containing a tree encroaching on the right of way on Flatrock Road. The property owner has not responded as to whether they desire to retain any wood from cutting down the tree.

## **NEW BUSINESS**

1. Roadmaster Owen gave his monthly report. Work has continued on roads as grading, rolling and dust control is being spread on many of the Township's dirt roads. A motion was made by Mr. Miller, seconded by Mr. Dymond to remove the tree encroaching on the Township right of way at 11 Flatrock Road. The motion passed unanimously.
2. Engineer Representative Doughton spoke about the new FEMA Flood Maps and made some suggestions regarding informing residents about the maps and how they could review the new flood zones to determine whether their homes are in the new floodplain or fall out of the old floodplain determination. Doughton emphasized the burden of proof to determine flood susceptibility is with the homeowner and any lending institution they might use and is not to be determined by Township officials. Franklin Township will be placing map information on the Township website for public review.
3. Motion made by Mr. Miller, seconded by Mr. Prokopchak to approve a driveway permit on Coon Road that was reviewed by the Roadmaster. The motion passed unanimously.
4. Motion made by Mr. Prokopchak, seconded by Mr. Dymond to approve the Insurance Package/Workman's Compensation proposal submitted by DGK Insurance at a cost of \$16,827.00. The coverage extends from May 1, 2010 to May 1, 2011. The motion passed unanimously.
5. Eric Williams, 236 Hill Drive spoke about a drainage issue on Hill Drive. Specifically, how to divert water flowing downhill from Hill drive onto his property, continuing into the back yard of his property from flowing onto the rear neighbors property. Mr. Williams explained the water is a result of runoff from the public right of way, specifically Hill Drive. The Roadmaster reviewed the issue and Mr. Williams asked if there were any funds available from Franklin Township to solve the problem. Mr. Williams was told there was no money available. Mr. Williams was willing to pay for any work to divert the water but was looking for direction from the Township on how to proceed. The Supervisor asked Mr. Doughton to review the drainage after the meeting and make a recommendation.

## **OLD BUSINESS**

6. Spring Cleanup was held during the prior weekend. One metal container was filled along with 5 garbage containers. Final cost won't be known until the containers are weighed since Franklin Township will be charged a tonnage fee in addition to a drop off fee.
7. Mr. Melvin stated the Comprehensive Planning questionnaire is still available to be filled out and returned to the Township. The survey is available at the township website and may be submitted electronically, mailed to Carson Helfrich or dropped off at the municipal building. Responses will be accepted until May 31<sup>st</sup>. The results will be made available and may be used as a basis for formulating provisions of the Comprehensive Plan over the next 12 months.
8. Mr. Melvin gave an update on the purchase of the new dump truck. The chassis is being up fitted at Lancaster Truck Bodies with the hydraulics, dump body, plow, spreader and other necessary equipment. Delivery has been pushed back several weeks due to delays in equipment receipt at Lancaster.
9. Motion was made by Mr. Dymond, seconded by Mr. Prokopchak to authorize officials to give notice to the owners of property at 467 Lake Louise Road, Dallas, PA 18612, and the corner of Perry and Bodle Roads, Wyoming, PA 18644, about violations existing at those properties.
10. Motion was made by Mr. Dymond, seconded by Mr. Miller, to refund property tax in the amount of \$27.92 to Mr. Stibgen, 1725 West 8<sup>th</sup> St. The motion passed unanimously.

## **OPEN THE MEETING TO PUBLIC GENERAL COMMENTS**

Sherry Emershaw again expressed concerns about whether Franklin Township is pursuing any ordinances to regulate activities of gas companies which may begin operations within Franklin Township. Mr. Dymond reiterated that Franklin Township is continuously reviewing all aspects of gas drilling occurring in other townships and awaiting any court decisions for activities and township ordinances not already covered in the Oil and Gas Act.

## **THE MEETING WAS ADJOURNED AT 8:03 P.M.**

Richard A. Melvin, Secretary/Treasurer