

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, APRIL 5, 2023**

A work session of the Borough Council of the Borough of Franklin Park was held on Wednesday, April 5, 2023 at 7:00 p.m. at the Municipal Building, 2344 West Ingomar Road, Pittsburgh, Pennsylvania 15237. The meeting was also held virtually via remote audio and video conferencing.

Council President John Parks called the meeting to order.

COUNCIL MEMBERS:

Jiang Li present
Brian S. Malkin present
Lucas R. Myslinski, Vice President present
Uday Palled present
John P. Parks, President present
Thomas C. Schwartzmier, Second Vice President present
Junior Councilperson Ava DiGiacomo present
Mayor Dennis E. O'Keefe present

ENGINEER:

Shawn Wingrove, Lennon, Smith, Souleret Engineering, Inc. present
Justin Wagner, Civil & Environmental Consultants, Inc. present

SOLICITOR:

Robert Max Junker, Babst Calland present

STAFF:

Zach Brower, Recreation Program Director present
Gary Bucuren, Superintendent of Public Works present
Cindy Crain, Finance Director/Borough Treasurer present
Rege Ebner, Borough Manager present
Walt Healy, Police Chief present
Jim Huff, Manager of Golf Course & Parks Facilities present
Cathy Krummert, Borough Secretary present
Andy Nock, Assist. Bldg. Insp./Fire & Tech Official present
Tim Phillips, Building Inspector/Zoning Officer absent

AUDIENCE: 4 in person plus virtual attendees

INTERVIEW FOR TECHNOLOGY ADVISORY COMMITTEE – Council interviewed David Switzer for a position on the TAC. Later in the meeting Council discussed and concurred to move forward with the appointment.

ANNUAL MEETING WITH ENVIRONMENTAL ADVISORY COUNCIL CHAIRPERSON – Council met with Stephanie Gundling who was appointed as the new EAC Chairperson at the beginning of the year. Her goal is for the EAC to become a Council with a lot of purpose over the next year or two. They have very strong team members who are well educated and involved in the community. The members include former environmental consultants, former DEP and EPA employees and attorneys. They are now starting to post information on the Borough website that they have discussed and researched. She hopes to have three EAC sponsored events a year. The spring litter cleanup event will be held on April 29th on McAleer Road. The summer event will be an educational table at Festival in the Park. The fall event will be some type of a green up day. This year it will be held on June 10th in Acorn Park, prior to the construction in the park, and it will include conservation greenspace maintenance, planting trees and removing invasive species. Some of the EAC priorities will be education and how they can implement educational events in the Borough. The EAC had a call with Katie Stanley of the Allegheny County Department of Parks and the Big Sewickley Creek Watershed to discuss holding educational events in the Borough. A couple EAC members are very involved in the community garden. Stephanie is on the Steering Committee for the Joint Comprehensive Plan, and she has been relaying information to EAC members and providing their input back to the Steering Committee. The EAC has not reviewed many landscape plans.

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Allegheny County had put together a booklet of documented trees in the county that were older than 200 years old, and the list included 17 trees in the Borough. The EAC is trying to verify if those trees still exist, and they would also like to include something in the fall newsletter for people to nominate trees. The EAC has started looking into tree and solar ordinances to make suggestions to Council. The Mayor discussed that he had renewed the Mayor's Monarch Butterfly Pledge, and Ms. Gundling indicated that they would add that information to the website.

OLD BUSINESS

- Pickleball in Old Orchard Park – Mr. Parks, Mr. Ebner and the Mayor met with a group of pickleball players and residents in the Old Orchard Park area. They had a good discussion and dialogue. It was concluded that in general things will remain the same, but pickleball players are welcome to make a proposal for the use of regular balls during certain hours. The door is open to dialogue. Mr. Myslinski indicated that Council had received a proposal from Cheryl Johnson on Sunday. Mr. Ebner noted that we have already received complaints regarding non-compliant play since the courts opened on April 1st.

AGENDA REVIEW - The following April 19, 2023 regular meeting agenda items were discussed:

- Resolutions were added to the agenda authorizing four grant applications submitted today.
- Ordinance No. 676-2023 – Mr. Junker noted that Ira Weiss' office serves as the delinquent tax collector and there is a fee schedule in the ordinance. They have now submitted an updated fee schedule and sample ordinance that Mr. Junker reformatted for our purposes. The ordinance does include the fees that are charged and paid by the delinquent taxpayer. The fees can be changed by resolution in the future. This ordinance will revise and change Chapter 19 of the Code of the Borough to include more detail. The ordinance will be introduced for action in May.
- New Administrative Employees – Motions are included on the agenda to authorize the hiring of two new administrative employees.

STAFF REPORTS:

Report by Cindy Crain, Finance Director/Borough Treasurer

- Maher Duessel filed the audit with the DCED by March 31st. Mrs. Crain will now work with Maher Duessel to finalize other accrual items that need to happen between the DCED report and the regular financial statement audit before the end of May.
- The Pension Committee met last week with Mockenhaupt to discuss amendments to the General Employees' Pension Plan. Mockenhaupt will make the second round of changes before the Committee meets again.
- State Representative Arvind Venkat has indicated that he will attend the EAC spring cleanup event on April 29th.

Report by Gary Bucuren, Superintendent of Public Works

- They started brush chipping this week and it may take 3-4 weeks to finish because there is a large amount of brush out for collection.
- He was hoping to use more road salt in March, but that did not happen due to the warmer weather. We are required to purchase almost 1,600 ton of salt before the end of August to meet the minimum purchase through Morton Salt. We must purchase the minimum through American Rock Salt before the end of July. We have spent \$150,619.00 on salt so far this year. We must still spend another \$122,553.00 to meet the minimums. This is much less than we usually spend during a normal year. The deadline for the COSTARS orders for the next winter season was in January/February. The North Hills COG order is due soon, but Mr. Bucuren does not plan to purchase through that contract since we will have a large stockpile. We will have about 4,500 ton of salt on the ground under tarps this summer. The required purchase of salt for this past winter season will be delivered over next few weeks, and the resident in that area will be notified.

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- Two streets have been added to the list of possible streets to pave, Georgetown Drive from the intersection of Wexford Bayne Road down past the church entrance and also Fox Chase Drive off Wexford Bayne Road. Both roads are a little over one-half mile. It was noted that Gary Sippel, the owner of the Waterfront Corporate Center, has offered to do the required concrete work. Mr. Bucuren has not received any more information regarding the West View Water Authority water line replacement on Ingomar Heights Road that must occur prior to the Borough paving the road. The project keeps getting pushed back.
- Public Works employees will begin working four 10 hour days beginning May 1st.
- The Mayor received a complaint regarding the look of the curb replacement work on Glenwood Drive in the Berkshire Plan that does not match the existing concrete. He has discussed the issue with Mr. Bucuren, and it was noted that the Borough is spending a lot of money to replace damaged concrete curbs. Mr. Bucuren stated that he has also received complaints regarding the look of the concrete curb repairs. The Borough spent \$125,757.00 on curb repair in 2021; \$233,323.00 in 2022; and we will spend \$169,969 in 2023 and \$187,500.00 in 2024 for a total of \$716,550.00. That amount would allow us to pave an additional 2.76 miles of road. Past Council's felt that concrete curbs are a signature of Franklin Park. Council and staff discussed the possibility of beginning to replace concrete curbs with asphalt curbs. Mr. Wingrove noted that a lot of South Hills communities are removing concrete curbs and replacing them with asphalt. Council concurred to wait until next year to discuss this matter when considering the paving program.
- Council received a nice compliment from a resident regarding the brush chipping program.

Report by Zach Brower, Recreation Program Director

- He will make a recommendation for a resident to fill the one remaining vacancy on the Recreation Board.
- The installation of the sun shades in the parks has been delayed due to the recent weather and the preparations for the upcoming baseball season.
- The bolt patterns do not match up as originally thought for the existing base and the new musical flowers purchased for Old Orchard Park. They will need to find something that works for both bolt patterns.

Report by Jim Huff, Manager of Golf Course & Parks Facilities

- The golf course has been busy, and they only had minor damage after recent storms and high winds.
- There was a lot of clean up in the parks following the recent weather.
- The planned upgrades to the ball fields have been delayed due to weather.
- Public Works did some patch work to prepare for paving at the golf course.
- Mr. Parks thanked employees for cleaning up the tree located on the property line between his property and the golf course property that had split during Saturday's storm.
- Mr. Ebner noted that we have a program in conjunction with Penn State Extension Master Water Shed Stewards Program, and volunteers will be planting over 300 trees and shrubs along Big Sewickley Creek on April 22nd to improve the riparian buffer. The Borough agreed to fence them in and maintain them.
- Mr. Ebner attended the North Allegheny Job Fair and had approximately two dozen students sign up to be volunteers.

Report by Shawn Wingrove, Borough Engineer

- Bliss Land Development – A bond reduction request was received from the developer on Monday. LSSE will inspect and a motion will be added to the regular meeting agenda. They are scheduled to pave the wearing course this Friday.

Report by Justin Wagner, Stormwater Engineer

- Ramblewood MS4 Project – CEC met with the Conservation District last week to discuss the landowner's requested revisions. It seems like it would be a relatively easy change for the District to approve, and we would need to re-permit. The next step will be to talk to the DEP regarding the sediment reductions with the modified design. The access road requested by the landowner is located within an area of previously mapped red beds which are very bad soils.

Mr. Wagner would want a geotechnical review to see what we should do there. It would be advisable to move the access road down the slope rather than cut through the center.

- The CCTV truck was out last week, and the mapping is definitely off and not very accurate. One-third of the storm sewers have debris in them so routine maintenance would be helpful. The condition of the lines was not terrible, but there is definitely some maintenance required. There are definitely one or two that Public Works will need to replace or repair. Mr. Bucuren asked Mr. Wagner for an updated list of the streets that were completed.

Report by Max Junker, Borough Solicitor

- Mr. Junker prepared an eminent domain ordinance for the Dougherty property that is next to Blueberry Hill Park. It is part of the structure of the potential sale as well as the donation, and it does require the condemnation process to at least be initiated. This does not commit the Borough to follow through, but it does address that we will be getting a deed in lieu of condemnation which is exempt from transfer taxes. Mr. Dougherty will be doing some level of donation with the property. We have been in negotiations with the property owner and attorney and exchanged drafts of the Agreement of Sale. We have applied for a grant.

SCHEDULE SPRING ROAD TOUR – The road tour was scheduled for Saturday, April 22nd at 8 a.m.

FIRE COMPANY MEMBER TAX INCENTIVE – Mr. Parks discussed Act 172 of 2016 that was passed as an incentive to retain and attract new volunteer fire fighters. At that time, Council and the fire company discussed possible implementation, but because of the administrative hassle and the fact that it only covered certain groups of people, no action was taken. Act 91 of 2020 then amended the original Act and allowed for granting of a tax incentive based on either earned income and/or real estate tax. This opens the door again to allow some recognition and to attract new fire fighters. Last year members of the fire company volunteered over 5,500 hours, and we should reconsider a tax incentive for the members. Mr. Parks asked Council to authorize Mr. Ebner to meet with the fire company Chief and President to look into whether this would make sense for Franklin Park and then make a recommendation to Council. Other municipalities have already done so. Mr. Parks and Mr. Myslinski would abstain from voting on this matter since they are members of the fire company, and this would benefit them. Council directed Mr. Ebner to start the review.

REPORTS FROM COUNCIL MEMBERS

- Mr. Malkin noted that he has suggestions to amend the Land Use ordinance and asked how to proceed. Council discussed and agreed that the Land Use Committee will meet on May 3rd to discuss. Mr. Malkin also announced that he will not be involved in discussions regarding the Bliss Development.
- Mr. Palled discussed safety issues with people walking along and crossing Nicholson Road. Mr. Phillips sent a letter to the developer of the Taylor Ridge Apartments regarding the installation of the required sidewalk, but we have not received a reply.
- Mayor O'Keefe renewed the Mayor's Monarch Butterfly Pledge, and we are doing our part to help the Monarch butterfly population. The Mayor asked Council to sponsor the workshop book for the PA Mayor's Conference in Lancaster during the third week of July at a cost of \$800.00. Council concurred.
- Dr. Li appreciated the email from Mr. Parks regarding the review and update of the Land Use Ordinance. He stated that it is time to work on this as a first step to protect the community.
- Mr. Schwartzmier noted that the MFPAA Report included a call report that showed 75% of their calls in February were in McCandless. Out of the 657 calls for the month, only 39 were in Franklin Park and 491 were in McCandless. Mr. Parks has invited the MFPAA board members from Franklin Park to attend the April 19th pre-meeting. Dr. Tom Stein will attend along with MFPAA Chief Chris Dell. Jamie Bonomo will not be able to attend. Mr. Schwartzmier inquired about the status of the house on Arndt Road, and Mr. Nock indicated that Mr. Phillips is pursuing it.

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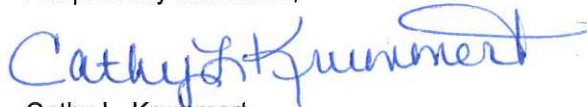
Mr. Schwartzmier discussed the work that is being done by Armstrong Cable in the road right-of-ways on Cole Road and Fountain Hills Drive. He asked if they have a right to do this work in Franklin Park when they are not a franchisee in the Borough?

- Mr. Myslinski noted that the Comprehensive Plan Joint Steering Committee will meet on May 10th at 6:30 p.m. at the Ohio Township Nature Center. Mr. Myslinski asked who owns the baseball field on the West View Water Authority property (formerly Borough property). WVWA owns the property, but they have agreed to allow the Borough to maintain and use the field.
- Mr. Parks asked who would be attending the Fire Company Banquet.

EXECUTIVE SESSION – An executive session was held to discuss Bliss potential litigation, Yochus litigation and Willow Ridge potential litigation.

As there was no further business, the meeting adjourned at approximately 10:15 p.m.

Respectfully submitted,



Cathy L. Krummert
Borough Secretary