

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MARCH 2, 2022**

Due to the COVID-19 pandemic, this work session meeting was held both in-person and virtually via remote audio and video conferencing.

Council President John Parks called the meeting to order at 7:00 p.m.

COUNCIL MEMBERS:

Jiang Lipresent
Brian S. Malkinpresent
Lucas R. Myslinski, Vice Presidentpresent
Uday Palledpresent
John P. Parks, Presidentpresent
Thomas C. Schwartzmier, Second Vice Presidentpresent via Zoom
Junior Councilperson Jackie DiGiacomopresent
Mayor Dennis E. O'Keefepresent

ENGINEER:

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

SOLICITOR:

Robert Max Junker, Babst Callandpresent

STAFF:

Zach Brower, Recreation Program Directorpresent
Gary Bucuren, Superintendent of Public Works.....present
Cindy Crain, Finance Director/Borough Treasurer.....present
Rege Ebner, Borough Managerpresent
Walt Healy, Police Chief.....present
Cathy Krummert, Borough Secretarypresent
Tim Phillips, Building Inspector/Zoning Officer.....present

AUDIENCE: 9 (0 in person and 9 via Zoom)

OLD BUSINESS - None

AGENDA REVIEW -The following March 16, 2022 regular meeting agenda items were discussed:

- **Public Hearing, Ordinance No. 665-2022, Interstate buffer yards** – The public hearing is scheduled and has been advertised. A copy of the ordinance was sent to the Law Library. Comments were received from Allegheny County. Council discussed and asked questions. The public may comment during the public hearing and prior to enactment. If there are any substantive revisions to the ordinance based on public comment, Council may table the ordinance and the process would start over. The ordinance would then go back to the Planning Commission and Allegheny County and another public hearing would be scheduled prior to enactment.
- **Municipal Risk Management (MRM) Delegate** – Mr. Malkin previously served as the delegate for the MRM Workers' Compensation Pooled Trust and the MRM Property and Liability Trust. He agreed to continue to serve as the delegate.
- **Purchases and Trade-ins of Equipment** – One piece of equipment to be purchased is only available from one source, so the motion on the regular meeting agenda explains why we did not get three quotes or go out to bid. The trade in of two pieces of equipment will be done by resolutions according to Borough Code.

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BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MARCH 2, 2022**

- Milling Bids – A correction was made to the bid tabulation, and it was placed on the table this evening. This is a joint bid with the Borough and Ohio Township, and the bid specifications required bidders to name both entities on their bid securities. However, three of the four bidders only named the Borough and not Ohio Township. The motion to award the bid to Mele & Mele and Sons Inc. was added to the regular meeting agenda since they were the low bidder, and they did provide the correct bid security naming both the Borough and Ohio Township.

STAFF REPORTS:

Report by Finance Director/Borough Treasurer

Mrs. Crain provided the following report:

- The audit field work is complete, and she is waiting for a draft from the auditors.
- Payroll implementation is moving along, and on March 14th employees will begin using the new system to log their time.

Report by Superintendent of Public Works

Mr. Bucuren provided the following report:

- He has received calls from the McCandless-Franklin Park Ambulance Authority asking the Borough to do some asphalt repairs, concrete repairs and repairs inside the building. Council discussed and agreed to help with asphalt repairs and paving, but the Ambulance Authority will need to hire a contractor to do the concrete repairs and maintenance within the building. In addition, the Borough will assist them with the disposal of old computer equipment.
- Public Works employees were checking catch basins along Big Sewickley Creek Road and the ground collapsed under their feet near the Linbrook Park driveway. There is a big sink hole where the tin whistle pipe is rotted out and it will need to be repaired. The estimated cost would be \$9,000 for the pipe plus labor.
- Wood Waste Recycling provides the dumpsters for the yard waste site and hauls them away when full. Last year they removed 23 full dumpsters. They are raising the fee this year to \$535 for each dumpster, which will be a \$3,000.00 increase for the year.
- Cronin Trucking was the only company that submitted a bid for trucking services this year, and they included fuel surcharges on their bid. Mr. Bucuren spoke to Mr. Junker and a letter was sent to Cronin stating that the Borough would accept the bid without fuel surcharges. Cronin responded that they received the acceptance of the bid without the fuel surcharge, and they look forward to working with the Borough. A motion will be added to the regular meeting agenda to award the trucking bid.
- Mr. Bucuren previously discussed that Ingomar Heights Road would be removed from the road paving list this year due to a water line installation. He would now like to add the Nicholson Woods Plan to the paving list. He will provide Council with the revised road paving list for this year and the proposed road paving list for next year.
- Mr. Parks mentioned that he heard rumors about supply chain issues with asphalt. Mr. Bucuren has not heard any rumors.
- Mr. Myslinski mentioned a pothole on Reis Run Road at Arndt Road, and it was noted that Reis Run Road is a state road. The Borough will only address the pothole if it becomes dangerous and PennDOT does not take care of it.
- There was discussion regarding the condition of Nicholson Road. PennDOT is scheduled to pave Nicholson Road this year but no start date has been provided.

Report by Building Inspector/Zoning Officer

Mr. Phillips provided the following report:

- No Zoning Hearing Board meeting in March.
- The Planning Commission will revisit the application for a detached garage on Reis Run Road. The applicant redesigned the garage after the Zoning Hearing Board denied his application for a height variance. Crown Castle will attend the meeting to provide information regarding what small cell sites look like and what they do. TAC members will also attend the meeting.
- The Building Board of Appeals will continue the hearing regarding the Yochus structure on Wexford Bayne Road.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MARCH 2, 2022**

- The Joint Planning Commission Steering Committee will hold a work session on March 10th with HRG to discuss phase 2 of the Comprehensive Plan.
- Mr. Phillips requested that Council authorize the Solicitor to revise the Borough ordinances to adopt the 2018 Property Maintenance Code and Fire Code.

Report by Recreation Program Director

Mr. Brower provided the following report:

- The Newsletter has been sent to the printer and should be mailed in the next 1-2 weeks.
- The Easter Egg Hunt registration will open next week for residents. A night hunt will be held on Friday night for older kids (ages 8-11), and the regular hunt will be held on Saturday for the younger age groups. Mr. Brower noted the costs for the event are up by 50% and he had to reduce the number of participants.
- Mr. Brower indicated that costs are also increasing for the Festival in the Park and noted that vendor costs are increasing by 20-25% this year.
- There was discussion regarding sponsorships for Borough events. Mr. Brower and the Recreation Board were asked to put together sponsorship packages.

Report by Borough Engineer

Council had previously received a written report from LSSE. Mr. Wingrove reviewed the following items:

- Curb & Gutter Program for 2023 Road Paving Program – The pre-bid meeting will be held on March 17th, and the bids will be opened on March 28th. Council will consider awarding the project at the April 20th regular meeting.
- Big Sewickley Creek Property – Mr. Wingrove received information today from the architect, Steve Paxton, and it will be sent over to the Borough for review.
- Summer Fields sidewalks – LSSE submitted the HOP and received minor comments from Allegheny County. We will need to work through the issue of who they want to be the applicant(s). Mr. Ebner indicated that he received a phone call regarding this matter.
- Deerfield Estates bond reduction request – A bond reduction request was received, and it will be added to the March regular meeting agenda for Council's consideration.
- Estates at Franklin Fields, Phases 1 and 2 – The 18-month Maintenance Agreements and bonds will expire in June. LSSE will inspect and prepare a punch list of items that the developer must complete prior to the expiration.

Report by Solicitor

Council had previously received Mr. Junker's written report. Mr. Junker reviewed the following items:

- Farmers' Market Ordinance – Mr. Junker reviewed the history of the drafting of this ordinance. Council discussed and concurred to move forward with introduction of the ordinance at the March regular meeting. Mr. Myslinski asked that Soergels and Kaelins be made aware of the ordinance and be permitted to provide input if they choose to do so.
- Solicitation Ordinance – Mr. Junker reviewed the history of the ordinance and noted some issues that have come up in the past. The ordinance includes a differentiation between peddling, solicitation and canvassing. This ordinance will be introduced in April.
- A draft Agreement was sent to Upstream Pittsburgh for review and comment. Mr. Ebner indicated that four property owners are interested in participating in the program, and he suggested the Borough cover up to 50% of the Upstream Pittsburgh design costs up to a maximum of \$3,000.00 for each property.

Report by Chief of Police

Chief Healy provided the following report:

- Four new garage doors and openers will be installed next week at the rear of the municipal building.

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EMAIL FROM DR. HORTON – Dr. Horton sent an email to a few Council members making accusations against Council and the Mayor, and the accusations were discussed. It was noted that Council meetings are now online, and technology improvements are being made for more transparency. Mr. Ebner will draft a response to Mr. Horton addressing the facts, and it will be forwarded to Council and the Mayor for review.

STORMWATER FEE – Mr. Ebner noted that this subject was initially discussed last year, and he recently provided a list of stormwater project costs, a list of stormwater complaints and the budgeted funds for stormwater. He noted that there are numerous stormwater issues, over 1,700 catch basins will need repair at some point, and deteriorating tin whistle pipe that the Borough must address. The \$300,000 budgeted for stormwater work this year will not get us very far. We are also budgeting money in the Capital Improvement Plan, but again, it will not get us very far with all of the work that must be done. Mr. Ebner estimates that at least \$500,000 per year will be needed to address stormwater work. The Borough needs to find a revenue source to cover these costs while maintaining the current level of services that our residents are accustomed to receiving. This includes acquiring greenspace, improving our parks system, and paving a specified number of road miles every year. We can either implement a tax increase or a stormwater fee. Many municipalities throughout Pennsylvania are implementing a stormwater fee to help cover their stormwater costs. The stormwater fee is a fairer option than a tax increase because non-profits that have large buildings and parking lots that contribute to stormwater issues would also be required to pay the fee that would be based on the amount of impervious surface. Credits would be offered to reduce the fee for green infrastructure. Because we are a Borough, we must create an authority in order to implement a stormwater fee. Council discussed and concurred to move forward with researching the creation of a stormwater authority and researching the stormwater fee amount. The information will be brought back to Council for possible implementation next year.

USE OF PERSONAL EMAIL FOR BOROUGH BUSINESS – A board/commission member had asked about using personal email for Borough business. Mr. Junker discussed and stated that there should be no deliberation going on via email for any board or commission. Under the Right to Know Law, a board/commission member will only have to turn over emails if they pertain to Borough business. Mr. Ebner and Mr. Junker will prepare a summary sheet to be sent to all board/commission members annually regarding the exchange of information and the use of private email for Borough business.

Mrs. Crain, Mr. Bucuren, Mr. Brower, Mr. Wingrove and Mr. Wagner left the meeting at this time.

MANAGER'S REPORT DISCUSSION ITEMS

- **Mayors' Monarch Pledge** – The EAC recommended the Borough take the Mayors' Monarch Pledge, and since we will do the things required anyway, we will take the pledge.
- **Community Garden update** – Miss DiGiacomo reported that the first meeting was held on Monday, and almost everyone who had expressed interest attended. They discussed some basic items including the location, using raised beds, assigning a section to each person, and donating extra vegetables to the Borough or a non-profit. Everyone in attendance will research one item discussed during the meeting and report back to the group next month. Miss DiGiacomo will meet with Letty Savage of the EAC for further discussion. Possible sites being considered for the garden are Old Orchard Park, Blueberry Hill Park and the Magee Road property. The group will put together a proposal for the community garden for Council to consider.
- **DCNR Grant applications** – Mr. Ebner discussed two potential grant applications. The first would be for the purchase of property and the second would be for the expansion of the disc golf course to 18 holes. The cost for the disc golf expansion would be approximately \$60,000, and we would request \$30,000 from the DCNR. The disc golf group would also contribute some of the money. Council concurred to move forward with the grant applications.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
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- LGA Intern Program – The Borough was approved for an intern to help with communications, social media and branding for the Borough. Mr. Ebner will get to meet interested students in April, and he will then select an intern to work from May through August. Staff will then run the program when the intern leaves.
- Banner Community - Mr. Ebner noted that the Borough has been designated as a Banner Community through ALOM, and a press release will be posted on the website.

REPORTS FROM COUNCIL MEMBERS

- Mr. Myslinski mentioned a resident complaint he received regarding the tax collector. He spoke to the resident and suggested that he express his concerns at a public meeting.
- Mayor O'Keefe mentioned that he is receiving a lot of junk email on his Borough email account and asked if anything can be done.
- Mr. Palled suggested that the HRG PowerPoint presentation regarding the Comprehensive Plan be placed on the website. The Steering Committee agenda will also be posted. Mr. Palled discussed the transition to Microsoft Teams. He also discussed cell and radio coverage.

EXECUTIVE SESSION – An executive session was held to discuss the Hartman Farms litigation, Yochus litigation, Public Works/Parks contract negotiations, Police grievance and a personnel matter.

As there was no further business, the meeting adjourned at approximately 10:00 p.m.

Respectfully submitted,



Cathy L. Krummert
Borough Secretary