

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, SEPTEMBER 6, 2023**

A work session of the Borough Council of the Borough of Franklin Park was held on Wednesday, September 6, 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 Lipresent
Brian S. Malkinpresent
Lucas R. Myslinski, Vice Presidentpresent
Uday Palledpresent
John P. Parks, Presidentpresent
Thomas C. Schwartzmier, Second Vice Presidentpresent
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 Workspresent
Cindy Crain, Finance Director/Borough Treasurerpresent
Rege Ebner, Borough Managerpresent
Walt Healy, Police Chiefabsent
Jim Huff, Manager of Golf Course & Parks Facilitiespresent
Cathy Krummert, Borough Secretarypresent
Aron Leach, Police Sergeantpresent
Andy Nock, Assist. Bldg. Insp./Fire & Tech Officialpresent
Tim Phillips, Building Inspector/Zoning Officerabsent
Donna Platt, Administrative Assistant to Borough Managerpresent
Sam Snyder, Police Lieutenantabsent

AUDIENCE: 4

OLD BUSINESS:

- Wireless Telecommunications RFP – Mr. Ebner has reached out to seven potential consultants and noted that there are not many out there that do not have ties to the industry. Four consultants have received the RFP, and the deadline is September 29th.
- CEC 10-year Stormwater O&M Plan and budget – The expected cost is \$10,016,074 over the next ten years. The projected costs will have a big impact on the budget. CEC had provided a preliminary fee study, and it was noted that the fee can be used for discovery and maintenance issues. Mr. Junker discussed an article that he had previously forwarded to Council. Council discussed and concurred to move forward to create a stormwater authority. The next step would be to prepare an ordinance to create an authority, and it would need to include the names of the five members being appointed to the authority for staggered terms. Members may include residents or business owners in the service area. A public hearing would then be held prior to enactment of the ordinance. Mr. Malkin volunteered to serve on this authority.

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REGULAR MEETING AGENDA REVIEW:

- Resolution No. 1339-2023 – The Planning Commission will vote again on October 19th to recommend the Joint Comprehensive Plan to Borough Council. Borough Council will consider the adoption resolution on October 20th.
- Resolution No. 1340-2023 – This is a standard sewage facilities planning module required for an on-lot small flow treatment facility. They will also be separately signing and finalizing an agreement with their servicer/inspector and the Borough to be recorded against the property. They will be required to put up financial security to cover the cost of the system going bad or malfunctioning.
- Payment Processing Agreement – This is a back end processor switch that is required for payment processing on the Borough's website. Civic Plus started the process in 2021, but then they did not follow up until August. The Agreement must be finalized by September 30th, and it must go through testing prior to implementation. Council concurred to have Mr. Ebner sign the Agreement, and Council will consider the motion to ratify his signature at the regular meeting.
- Ordinance accepting and adopting LaPlace Pointe and releasing securities - Taylor Ridge approached the Borough to request that we release the performance securities one month early since they have other financing they want to do by the end of September. They were told that the Borough will consider their request if they sign the Maintenance Agreement, pay the current outstanding bills and provide a 19 month security.

STAFF REPORTS:

Report by Cindy Crain, Finance Director/Borough Treasurer

- MMOs for Pension Plans – The MMOs were received and provided to Council. The current MMOs that must be signed by the Borough Manager by the end of September are based on the January 1, 2021 valuation. Mockenhaupt is waiting for us to finalize the restatement of the General Employees' Pension Plan before they do our January 1, 2023 valuation and provide revised MMOs by the end of the year. The Pension Committee will meet on September 22nd to continue to discuss the restatement. Although the restatement will not be formally adopted at that meeting, if we feel comfortable with the amendments, Mockenhaupt will do the January 1, 2023 valuation. The Police MMO went down from last year since another officer entered the DROP and there were a couple open positions. The MMOs need to be included in the budget.
- Year-end projections – She had previously discussed at the mid-year budget review that the EIT revenue was tracking slightly behind. However, she noted that this was because we are now on accrual basis vs. cash basis accounting. From a true cash standpoint, we are tracking ahead. From a revenue standpoint she is now projecting slightly over \$11 million. Expenses have gone down due to postponing some capital item purchases until next year. She is still projecting a deficit of \$1.8 million by the end of this year, but she and Mr. Ebner need to discuss any MS4 projects that were previously budgeted that will not be happening this year.
- TAC recommendations – The TAC had provided a memo to Council with recommendations regarding passwords, password managers and two-factor authentication required for cyber security insurance. Mr. Ebner noted that the Borough will do the minimum to obtain cyber security insurance.

Report by Gary Bucuren, Superintendent of Public Works

- They finished paving State Game Lands Road, Weinman Road and Hopkins Church Road, and they will now seal and backfill all of these roads.
- They will work around the contractor doing the concrete work to start milling and paving in the Sturbridge Plan.

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- He discussed the upcoming purchases of large 40,000 GVW trucks in 2025, 2026 and 2027. The current cost is estimated at \$200,000 to \$220,000 per truck, and orders must be placed two years in advance. We will have to put in an order in the near future to take delivery in 2025. He discussed some of the issues with the frames, under carriages and diesel exhaust fluid injectors they have experienced with the International trucks we currently own, noting that we must pay to have the trucks towed to International for repair. He also discussed the possible purchase of extended warranties or considering the purchase of Peterbilt or Mack trucks that are more expensive, but they have less problems. Council asked Mr. Bucuren to look into the Peterbilt and Mack trucks before making a final decision.
- Mayor O'Keefe noted that he is getting a lot of questions regarding the WVWA project on Ingomar Heights Road and the very poor road conditions. Mr. Ebner noted that the contractor indicated that they would take care of the issues. The Borough will let everything settle through the winter and will pave the road next year. Mr. Bucuren suggested asking WVWA to pay for half of the cost to repave the road since they destroyed half of the road with their project. It was noted that the two-week closure of the road will begin next week.
- Mr. Parks asked about the abandoned house on King John Drive, noting that the windows were broken out of the house and the car. The house has been secured again. Council discussed and once again asked if there is anything the Borough can do to take care of this nuisance. Mr. Junker noted that the issue is that it is structurally sound and water tight. He indicated that he and staff could go through the property maintenance code to see if there is a way we can go to the next level.
- Mr. Myslinski asked about the status of the concrete curb replacement. Mr. Bucuren noted that Palombo will come back in on Friday to start work on 360 feet of curb in the Sturbridge Plan. They asked to work on Saturdays to finish the job earlier so the Borough can begin paving. Council concurred, but they must start after 9 a.m. Following completion of this curb work, Palombo will then move to install the sidewalks in the Summer Fields Plan and will then move to complete 1,600-1,800 feet of concrete curb work on Royal Oak Drive to finish out the contract.

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

- He is looking at Monday, July 29, 2024 as the date for next year's Golf Outing. Council concurred.
- The contractor who painted lines in the Golf Course parking lot has acknowledged that his crew did not do a good job, and he has indicated that he will come back next year to seal coat over the lines and repaint them at his cost. The lines are functional, but the distances between them vary.
- There has been graffiti painted on the benches in Old Orchard Park, and the Parks employees were able to remove it. The police have identified the juveniles who were responsible for the graffiti and breaking the windows on King John Drive.

Report by Shawn Wingrove, Borough Engineer

- The Acorn Park design submittal was submitted to DCNR, and the permit application will follow.
- The Bliss Development is slow moving with only one house under construction.

Report by Justin Wagner, Stormwater Engineer

- They received the results of the Ramblewood bores, and they were better than they thought. There is some bad material there, but it shouldn't be a huge problem. There may be some undercut and some engineered fill. They are still determining the extent of the undercut, but it should be reasonable. They need to see how deep the EQT gas line is in that area to make sure we are not interfering with it. They will coordinate with EQT once they know how deep they need to undercut that line. The next steps after that will be to revise the conceptual plan and provide a concept to the land owner to sign off to obtain an easement. They will also have to amend the NPDES permit. This will push the construction into next year.
- They received an administrative efficiency letter from the DEP last Friday for the Fish Run JPA, and it contains five comments. They will need some assistance from the Borough to prepare the response to the DEP this month. He will need a letter from the Borough regarding a stormwater management analysis and commenting on the analysis.

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He will also need assistance regarding the easements for Fish Run. There is only one private property where we are doing actual work on the property for this project. The other property is owned by the Borough. The DEP is looking for proof that we have the easement from the property owner, or we are seeking the easement.

- Mr. Ebner noted that they have separated Matterhorn from the Ramblewood Project because we have to show we are making progress, and we have to keep making changes to the Ramblewood Project. We need to get the Matterhorn Project out for bid this year with work starting early next year.

Report by Aron Leach, Police Sergeant

- The physical agility testing and interviews will take place this month for police officer candidates. The Fire Company was kind enough to allow them to use the fire station for the interviews.
- They have the ability to purchase two police vehicles in 2023 for approximately \$40,000/each. The salesman at the dealership orders vehicles every year because he knows he can sell them to someone else if we do not want them. If we wait for the 2024 models, the cost will be approximately \$48,000/each. Although two police vehicles are not included in the 2023 budget, we will save \$16,000 if we accept the 2023 models. The vehicles will probably not be received and put in service until 2024. Council concurred, and it was noted that a motion will be required for the purchase.

Report by Max Junker, Borough Solicitor

- Allegheny County granted the three requested tax exemptions for Borough owned properties. We received the refund checks, and Mr. Junker is trying to track down the official notices since they were never received.

STREET OPENING DRAFT ORDINANCE – Mr. Junker, Mr. Bucuren and Mr. Wingrove reviewed the current ordinance and made changes. It is now open for discussion, and we will need to determine the amounts of the fees to be included in the fee resolution. One thing to consider is that the current fee resolution has a complete exemption for municipal authorities. Council discussed and concurred that the exemption should be removed. Council thanked everyone for their work on the draft, and the ordinance will be added to the September 20th agenda for introduction.

STORMWATER DRAFT ORDINANCE – Mr. Malkin noted that the committee had talked about bonding/maintenance requirements to cover long-term costs for stormwater facilities after developments are complete and developers are no longer involved. Mr. Junker noted that this ordinance only addresses requirements for underground detention facilities. We can survey others to see if they charge a fee, and if so, if it is a percentage or flat amount. It was noted that the Borough takes over a lot of infrastructure, and the key is to make sure that it is all constructed properly. Concern was also expressed regarding the expected life span of some facilities. Council discussed and the ordinance will be introduced at the September 20th regular meeting

MANAGER'S REPORT DISCUSSION ITEMS

- Northland Library Draft 2024 Budget – The draft budget was provided to Council. The 2024 proposed increase is 4.1% for the Borough. Overall, the municipal increase was 3.3% but because of the three-factor formula our increase was higher this year. The budget must be approved by all municipalities, or it reverts back to the current year's budget.
- Bradford Woods request regarding Zoning/Code Enforcement – Bradford Wood Borough has inquired if we would be interested in covering their zoning/code enforcement for them. Mr. Phillips and Mr. Nock feel that they could take on this additional work which is minimal. Council concurred, and we will need to determine fees and prepare an agreement to be signed by both municipalities.
- Girl Scout letter regarding single-use plastic bags – Mr. Ebner will respond that the Borough appreciates their concern for the environment, but this is an issue that needs to be handled at a higher level.

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- Deer culling program – Council discussed and concurred to move forward internally to qualify and assign hunters for the program.
- Gary Sippel's request for Georgetown Drive curb work reimbursement – Initially Mr. Sippel had approached the Borough and indicated that he would take care of the concrete curb work and costs on Georgetown Drive if the Borough would pave it this year. When Ingomar Heights Road was removed from the paving list this year, Council viewed Georgetown Drive and agreed that the condition warranted paving this year. Mr. Sippel has now approached the Borough indicating that the concrete curb work was a lot more than he originally thought, and he is asking for reimbursement. Council discussed and concurred that the only thing the Borough can do is provide a letter acknowledging his donation since the work was not bid out.
- Grant funding opportunities & potential projects to consider – Mr. Ebner noted that the CDBG grant deadline is this Friday to submit it to the North Hills COG on our behalf. He is considering submitting an application for the Montgomery Road flooding project. CEC has completed the design work and they are working on the cost estimate. Four houses on Montgomery Road were flooded three separate times in 2019. Since then, we have added a catch basin and we have increased the curb. CEC has determined that we can increase the size of the pipe and make some improvements to the berm of the detention facility at the bend with some landscaping. The work would not be done until 2025 so we would have time to budget for the project. The GEDTF grant deadline is September 22nd, and Mr. Ebner would like to apply for additional funds for the Acorn Park Project and the Public Works Garage Project. We have received some funding for these projects, but the Borough will still have substantial expense to cover the costs. We could also apply for the Montgomery Road Water District where each property owner would be responsible for paying \$30,000, even though the majority of them will not tap in. Mr. Ebner asked if we want to have any kind of procedure in the future where we help offset part of the costs of a water district, and are we legally permitted to do so? Council discussed.
- COVID-19 Policy – Staff and Council discussed, and the September 2022 policy is still in place.

REPORTS FROM COUNCIL MEMBERS

- Mr. Malkin noted that the Land Use Committee will meet on October 4th, and he will not be attending the September 20th meeting.
- Mr. Palled asked Council members to come up with one idea to save money before the budget preparation starts.
- Mayor O'Keefe noted that hundreds of cyclists were on Rochester Road on Sunday, August 27th and they took up most of the travel lane. It was a dangerous situation for vehicles, especially if there was an emergency. It was noted that this was a Pedal Pittsburgh event, and the Borough was not made aware prior to the event.
- Dr. Li suggested that the Borough educate residents through the website and other communications regarding the purpose of the proposed stormwater fee and how the money will be used.
- Mr. Schwartzmier liked the new sun shade installed in the Blueberry Patch Playground. He noted that the Old Orchard Pavilion could use some maintenance on the outside around the perimeter and the roof vent.
- Mr. Parks noted that about a year ago, the Fire Company researched and agreed to start billing insurance carriers for some incidents through an outside firm (primarily for interstate calls involving non-Borough residents). The Borough would need to enact an ordinance for the Fire Company to proceed. There was discussion, and Mr. Junker will look into it further.

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EXECUTIVE SESSION – An executive session was held to discuss a police personnel matter.

As there was no further business, the meeting adjourned at approximately 9:50 p.m.

Respectfully submitted,



Cathy L. Krummert
Borough Secretary