

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL PRE/POST MEETING MINUTES
WEDNESDAY, OCTOBER 20, 2021**

Council President Jim Hogg called the meeting to order at 7:00 p.m.

COUNCIL MEMBERS:

James W. Hogg present
Jiang Li present
Brian S. Malkin present
Luke R. Myslinski present
John P. Parks present
Thomas C. Schwartzmier present
Junior Councilperson Jackie DiGiacomo present
Mayor Dennis E. O'Keefe present

ENGINEER:

Shawn Wingrove, Lennon, Smith Souleret Engineering, 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
Cathy Krummert, Borough Secretary present
Tim Phillips, Building Inspector/Zoning Officer present

PRE-MEETING

AUDIENCE: 2

OLD BUSINESS - None

AGENDA REVIEW - The following October 20, 2021 regular meeting agenda items were discussed:

- **Conditional Use Application, Bill Sparks (CARES)** – Mr. Junker briefly reviewed the history of the application. He stated that the applicant has withdrawn the application, and this item was removed from the agenda.
- **Bliss Residential Land Development Stormwater Modifications** – Mr. Brett reviewed the requested modifications for Council and there was a lengthy discussion regarding the requested modifications. Mr. Brett stated that LSSE will be closely watching the plan to be sure that all work is completed per ordinance. The developer and engineer should be present this evening to review their three modification requests during the regular meeting.
- **Bliss Residential Land Development Set-Aside Agreement** – Council discussed and asked questions regarding the requested reduction of the development security. Mr. Junker indicated that if work has been completed, the Borough should reduce the security accordingly. It was noted that the LSSE recommended bond reduction is one-half of the total dollar amount requested by the developer based on their inspection of the completed work. The amount to be released does not include any work related to E&S.

MANAGER'S REPORT DISCUSSION ITEMS

- McCandless Franklin Park Ambulance Authority update – Mr. Ebner met with the other managers in the MFPAA service area because the other municipalities have an interest in hiring a consultant to review the finances and operations of the MFPAA. Consultant John Trant will provide a cost estimate and scope of work. Mr. Ebner made it clear that Franklin Park will not contribute toward a consultant, but we will continue to contribute to the MFPAA. The other municipalities accepted the Borough's position, and they indicated that none of them will contribute to the MFPAA next year. Council fully supported how Mr. Ebner handled the situation noting that the Borough would rather give money to the MFPAA rather than to a consultant. Many other ambulance authorities are experiencing the same financial hardships. We are very confident in our two board members, and we listen to them when they tell us that the MFPAA is hurting financially. All of the board members appointed by the municipalities agree that the MFPAA is in need of municipal contributions, but the other four municipalities are not listening to the board. Mr. Ebner stated that a Zoom meeting was held on Thursday with Steve McKinnis and Bob Burkley of the MFPAA and the municipal managers. Mr. Burkley stated that he has no issue with the other municipalities hiring a consultant, and he provided the managers with a list of EMS consultants that he had found. It was noted that Consultant John Trant has spent the last year serving as executive director for an EMS service in the South Hills while they are looking for a new director.

COMPREHENSIVE PLAN UPDATE – Mr. Ebner discussed that there is some misunderstanding regarding the purpose of a Comprehensive Plan. There were some attendees at the last meeting demanding that we halt all development and change our ordinances. The purpose of a Comprehensive Plan is to set a vision of what the residents want the Borough to look like in ten years. A lot of time during the meeting was back and forth between Mr. Ebner and the two members of the public who were challenging the integrity of Council and the Planning Commission with regard to dealing with developers. They also demanded that HRG provide copies of their work product immediately. Mr. Junker noted that draft documents, work papers and notes are not subject to the Right to Know Law. Going forward, there will be a formal procedure for the steering committee meetings, and there will be a five minute comment period at the end of each meeting, so the entire meeting is not interrupted. This will streamline the process, so the meeting does not turn into a debate. The members of the steering committee are residents of the Borough and Ohio Township who are there to steer things in the right direction. Residents are welcome to attend these meetings, but they are not welcome to take over the meeting and make accusations. There will be multiple public meetings in the future, and there will be plenty of time for public comment at that time.

BUILDING BOARD OF APPEALS MEETING UPDATE – The Building Board of Appeals met to reorganize, and they agreed to continue the hearing until November 9th as requested by the applicant. The applicant has filed an appeal to the Order of Demolition issued for the property at 2568 Wexford Bayne Road. It was noted that one member of the board recently moved, but he can continue to serve if the vacancy cannot be filled by a qualified resident with the necessary background. Attorney Gary Gushard has agreed to serve as Solicitor and will advise the board on how to handle the meetings.

PICKLEBALL COURTS UPDATE – Mr. Parks noted that the pickleball experiment was held in the rain and was somewhat inconclusive. The general consensus was that the Gamma Quiet pickleballs will solve the problem. Based upon the experiment and discussions with residents and pickleball players, Mr. Parks came up with the following recommendations to Council and staff:

1. Play at Old Orchard Park will continue until the end of October.
2. Beginning at the opening of the 2022 season, Old Orchard Park pickleball play will require the use of the Gamma Quiet pickleballs.
3. Beginning at the opening of the 2022 season, the hours of play at Old Orchard Park will be extended from sunrise to sunset.
4. The pickleball courts at Blueberry Hill Park will not close November 1st, and they will remain open year around.

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5. A second meeting will be held between the Old Orchard residents and the pickleball players at the earlier of when the Gamma Quiet pickleballs become available or a few weeks before the opening of the courts at Old Orchard Park. The purpose is to seek alternatives if the quieter pickleballs are not available and to discuss how to assure their use at Old Orchard Park.

Mr. Parks stated that the residents had asked that for the first two weeks the hours for pickleball play in Old Orchard Park be from 9 a.m. to 7 p.m. to determine if the Gamma Quiet pickleballs reduce the sound before permitting dusk to dawn play.

Mr. Malkin asked about the Borough's liability if the pickleball courts in Blueberry Hill Park remain open all year during times of ice and snow. Mr. Junker discussed and noted that the Borough would be liable should someone suffer an injury due to court conditions. Mr. Brower expressed his concerns if the courts remain open year round noting that the court surface can get very slick with rain and ice. He stated that all other courts/facilities close for the season on November 1st. Council discussed the matter, and Mr. Hogg asked staff to come up with a plan to be discussed at the November work session.

REPORTS FROM COUNCIL MEMBERS & MAYOR

- Mr. Schwartzmier stated that he and Mr. Myslinski met with a resident who had a complaint regarding a curb on Brandt School Road causing flooding in his driveway. Mr. Schwartzmier indicated that he would speak to Mr. Bucuren regarding the complaint. Mr. Schwartzmier also suggested that notices be posted on all bathroom facilities and water fountains in the parks when they are closed for the season. Many residents do not understand that the bathroom facilities are not heated, and the pipes can freeze during the winter months. The bathroom water pipes are blown out before they freeze, so the facilities cannot be opened during the few unusually warm winter days.
- Mr. Hogg stated that Mr. Malkin had spoken with a resident who suggested the Borough buy more land, specifically land abutting the State Game Lands. The Borough previously purchased two properties for \$625,000.00 and also gave the Allegheny Land Trust \$125,000.00 toward the purchase property for green space. The property near the State Game Lands is selling for \$3 million, which is 30% of the annual budget and 3 years of road paving. Mr. Hogg asked Council members to speak up if they believe the Borough should pursue land to purchase. Residents can also consider buying more land to keep it from being developed.

The regular meeting was held from 8:00 p.m. to 9:11 p.m.

POST-MEETING

EXECUTIVE SESSION – An executive session was held to discuss Summer Fields potential litigation, Hartman Farms potential litigation and Public Works/Parks contract negotiations.

As there was no further business, the meeting adjourned at 9:20 p.m.

Respectfully submitted,



Cathy L. Krummert
Borough Secretary