

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MAY 13, 2020**

The virtual Borough Council Work Session meeting was held via Zoom video conferencing and was called to order by Council President Jim Hogg at 6:00 p.m.

COUNCIL MEMBERS:

James W. Hogg present
Jiang Li present
Brian S. Malkin present
John P. Parks present
Thomas C. Schwartzmier present
Susan Striz present
Junior Councilperson Nathan Gierczynski absent
Mayor Dennis E. O'Keefe present

ENGINEER:

Michael Malak, Senate Engineering Company present

SOLICITOR:

Robert Max Junker, Babst Calland present

STAFF:

Zach Brower, Recreation Program Director present
Gary Bucuren, Superintendent of Public Works present
Rege Ebner, Borough Manager present
Walt Healy, Police Chief present
Cathy Krummert, Borough Secretary present
Tim Phillips, Building Inspector/Zoning Officer present
Bill Schweitzer, Manager of Golf Course & Parks Facilities present

ATTENDEES – 3 virtual attendees

OLD BUSINESS - None

MAY 20, 2020 REGULAR MEETING AGENDA REVIEW

- The regular meeting will be held virtually via Zoom video conference.
- Emergency Declaration – Mr. Hogg asked if we need to continue the emergency declaration again this month. Mr. Ebner indicated that the borough is on the Allegheny County list of emergency declarations. Mr. Junker also noted that at some point Council will need to take action to terminate the emergency declaration.
- McCandless-Franklin Park Ambulance Authority – Mr. Hogg asked if the borough received a resignation from Bob Burkley since he has now accepted a position with the Authority. Mrs. Krummert indicated that she would follow up with Steven McKinniss of the Authority to inquire about the status of the resignation. The borough must now find a replacement for Mr. Burkley, and a notice was placed on the website. Since no applications have been received, the deadline for applications will be extended until May 28th. Applicants could be interviewed on June 3rd and the appointment could be made at the June 17th regular meeting. If Mr. Burkley's resignation is received by this Friday, a motion will be added to the regular meeting agenda to accept the resignation.
- Public Comments – Mr. Hogg stated that residents can submit written comments by noon on May 20th via the public comment email address. There is also a way for them to register in advance on Zoom to speak at the meeting. He asked if we should add instructions for residents to register ahead of time to speak, or should we just open it up during the meeting for public comments? Mr. Ebner indicated that it would not be a problem to open it up for public comment during the meeting. Andy Nock will be monitoring the Zoom meeting, and he can allow comments from any resident who would like to speak.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MAY 13, 2020**

- Northland Library Funding Formula Changes – Mr. Junker noted that the changes to the library funding formula will be made via the Intergovernmental Cooperation Agreement. Each municipality must approve the amended agreement by ordinance. Council held a brief discussion and agreed to introduce the ordinance at the May 20th meeting for enactment at the June 17th meeting.

MAY 27, 2020 SPECIAL MEETING AGENDA REVIEW

- The agenda items have been limited, and the meeting will be held both in person at the Blueberry Hill Activity Center and virtually via Zoom video conference. The meeting has been moved to the larger Activity Center venue to accommodate residents who wish to attend in person to comment on the applications while meeting the COVID-19 social distancing requirements of six feet between persons and no more than 25 persons for an in-person gathering. Everyone should be reminded to wear masks. Hand sanitizer and masks will be provided if attendees do not have them. Audio speakers will be set up downstairs and outside (weather permitting) for overflow attendees to hear the meeting proceedings even if they are not in the main room.
- The applicants for the Mitchell Conditional Use application and the Deerfield Estates Plan have confirmed that they will attend in person.
- The court reporter has been confirmed and will attend in person.
- Council members and the Mayor should let Cathy Krummert know if they plan to attend in person or via Zoom so the seating can be arranged in advance.
- Public comments will be accepted via email, via Zoom or in person.
- Mr. Phillips will remind Maronda Homes, the applicant for Deerfield Estates, that their traffic engineer should be present.

STAFF REPORTS:

Report by Superintendent of Public Works

Mr. Bucuren provided the following report:

- The crew is working on projects in preparation for road paving.
- DemEx, LLC finished cleaning, reseeding and repairing of the spillway for the detention pond on White Oak Court. There is still some final restoration work to do.
- Mr. Bucuren discussed the minimum required purchases for both the Costars salt contract with American Rock Salt, and the North Hills COG salt contract with Morton Salt. He stated that fees may be incurred if the companies continue to store the salt that the borough is required to purchase according to the contract. He noted that due to the mild winter, the borough used less than one-half of the usual amount of salt for snow and ice removal over the winter months. After discussion with Council, it was determined that the borough will take delivery of the remaining 1,329 ton from American Rock Salt and will properly store it and tarp it outside of the salt dome to meet all DEP regulations. The borough will also take delivery of the remaining 560 ton from Morton Salt and will try to put it in the salt dome if possible. The COG will extend the contract with Morton Salt through next year, and Morton will allow us to adjust the quantity of salt previously indicated for next year. Mr. Bucuren will then cancel the order from Morton next year. He will only plan to order salt next year (winter season 2020/2021) through the Costars contract with American Rock Salt. Staff will verify that the COG salt contract extension is in place for next year and does not require rebidding.
- The public works foreman had surgery and will be off work for several months.

Report by Building Inspector/Zoning Officer

Mr. Phillips provided the following report:

- The Zoning Hearing Board will not meet in May; however, they will meet in June.
- The Planning Commission will consider revisions to the Bliss Subdivision, the Luffy Plan of Lots in Sturbridge, the Primrose Daycare conditional use application and the Primrose Daycare preliminary/final land development.
- Mr. Phillips has issued permits to Gene Stull. The grading that was previously completed is now legal. The stormwater plan was approved for the impervious areas and the alterations to the land. However, Mr. Stull is not permitted to live on the property.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MAY 13, 2020**

- The building/zoning department is issuing permits and occupancies, and they are performing inspections. They are accepting applications electronically or by mail, but because of the Governor's stay at home order, they are not accepting applications in person. Most of the applications are for decks, sheds and fences.

Report by Borough Engineer

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

- Mr. Malak received the contracts for the 2020 Paving Program, and they were given to Mr. Ebner to have them signed. Once the contracts are signed by the borough, Senate will issue the notice to proceed.
- Mr. Malak issued the notice to proceed for the Ramblewood Curb and Gutter Replacement Project. He will be requesting a pre-construction meeting to walk the site and review the areas to be replaced.
- The first draft of the design for the Dalton Drive/Nevin Drive Stormwater Project should be completed this week, and Mr. Malak anticipates meeting with Mr. Ebner next week to go over the proposed design for the project. The intention is to install an underground detention facility on Mr. White's property at the corner of Dalton Drive and Nevin Drive and to install underground storage on the borough property next to the public works building. Additional catch basins may be installed on West Ingomar Road and Nevin Drive, if needed, and they will clean out the channel from Dalton Drive down to a vacant property. Mr. Ebner indicated that this will be an expensive project, and Mr. Malak estimated that the cost will be between \$500,000 and \$750,000. Mr. Malak suggested some funding agencies for a longer-term loan and noted that PENNVEST offers low interest loans under 2 percent for 20 years. Senator Lindsey Williams had previously indicated that there is not much grant funding out there for a community like Franklin Park. Grant money is based on the mean income of a municipality.
- The design is completed for the Montgomery Road Stormwater Project. Mr. Malak and Mr. Ebner will need to meet with the Hoffmans to review the design and to get their consent for an aboveground detention facility in a wooded area of their property. If the Hoffmans are agreeable to the design, Mr. Malak will finalize the design and move forward with the DEP permitting. There are some issues with wetlands in the area. Mr. Ebner noted that the Hoffmans did not have any flooding during the three storms last year, but four other properties experienced flooding. All the water from the hillsides runs through the wetlands area of the Hoffman's property and then runs across Montgomery Road flooding the other properties. The Hoffmans are considering the stormwater work on their property to help their neighbors.
- Mr. Malak and staff met with residents in the Wexford Run Road watershed area. There is a 30" culvert that crosses under Wexford Run Road and there was some flooding in the area during heavy rain events. Rather than making the culvert larger, the borough is looking at the possibility of installing aboveground facilities.
- Mr. Ebner stated that staff is looking into approximately 20 separate stormwater issues. He noted that all issues are investigated, and he asked everyone to be patient. Mr. Ebner will put together a list of the stormwater issues and will keep Council informed.
- Mr. Hogg mentioned that flooding has occurred between the old Brusters Ice Cream location and the Pomodoro's Restaurant on Brandt School Road. He asked Mr. Bucuren to speak with Allegheny County to see if they are already planning to address this issue during the current road construction project, or if they would consider addressing the issue to alleviate flooding in that area.
- Mr. Hogg mentioned that there was some talk last year that the borough was not accessing all the stormwater grants that are available. Some Council members met with Senator Lindsey Williams, and she had indicated that the grants are very competitive and tend to go to smaller communities. Council members should let Mr. Ebner know of any grant money that is available.
- Mr. Hogg mentioned that there was talk that the borough needed to update the stormwater ordinance to prevent flooding. He noted that the stormwater ordinance was updated in December and it has been codified. If anyone would like a copy, they should inform Cathy Krummert. If anyone has any recommended changes, they can be discussed at the June work session.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MAY 13, 2020**

Report by Recreation Program Director

Mr. Brower discussed upcoming recreation events, programs, camps and rentals and the COVID-19 restrictions and social distancing:

- Festival in the Park – There was discussion regarding cancellation, contracts, deposits and possible options. It was noted that many other communities have canceled their community days. Council agreed that it would be best to cancel the Festival in the Park this year.
 - Stage - Mr. Brower received notification from Allegheny County that they have canceled the rental of the stage for the event.
 - Fireworks - Mr. Brower discussed the fireworks contract noting that if we proceed with the fireworks display as planned, the cost would be \$6,000.00. If we postpone until a later date, we would be charged an additional \$1,500 fee. If we cancel, there is a \$4,500 cancellation fee. Ms. Striz asked about the possibility of having the fireworks after a drive-in movie event. Mr. Brower noted that the Recreation Alliance North Pittsburgh (RANP) is looking to purchase an FM transmitter for drive-in movies, but we do not have a great location for a drive-in movie. We could possibly look at continuing the movies in the park with social distancing. Council authorized Mr. Brower to hold the fireworks display on the scheduled date of June 27th.
 - Deposits - Mr. Brower was authorized to contact all vendors, attractions and acts to attempt to roll over all deposits for next year's event.
- Coach Dave Gray Summer Camps – The first scheduled date for summer camp is June 22nd. Mr. Brower and Coach Dave have been working to develop a plan to cautiously run summer camps with spacing and smaller groups. Mr. Brower has indicated that the YMCA also plans to hold in-person summer camps as of June 8th. Mr. Brower recommended taking all precautions and proceeding with the summer camps. Refunds will be issued to parents who are not comfortable sending their child to camp due to COVID-19. Mr. Brower was authorized to proceed with the summer camps, and Mr. Junker will investigate the requirements for opening bathroom facilities.
- Facility Rentals – All facility rentals have been canceled through May. Rentals are scheduled every Friday, Saturday and Sunday in June and most are graduation parties. There was discussion regarding canceling all events in June or evaluating each rental to make sure that it would comply with the state guidelines at that time. Council authorized allowing rentals if they can meet the state guidelines. Those choosing to cancel their event will receive a refund.
- Field Use – True lacrosse would like to start holding their practices in Linbrook Park for middle and high school age kids. They practice in small groups and parents could remain in their vehicles if they stay on site.
- Recreation Programs – Programs with a higher number of participants may need to be canceled. Programs with lower numbers may continue with social distancing.
- Parks – We are receiving many requests to put up the volleyball and pickleball nets in the parks. It was noted that the tennis and pickleball nets have been up in North Park for the past two months and they have been busy. The Pennsylvania Recreation and Parks Society is not recommending opening recreation facilities. Council discussed and authorized putting up the nets and opening some bathroom facilities over the next few days. Rules should be posted in all areas. Playgrounds will remain closed and organized sports will not be permitted. Mr. Junker will investigate the guidance for opening courts, facilities and restrooms in the state's yellow phase of reopening. Mr. Ebner will post a notice on the website regarding the opening of some park facilities.
- National Night Out – Staff and Council will determine at a later date if the event will be held in August.

Report by Manager of Golf Course & Parks Facilities

Mr. Schweitzer provided the following report:

- Scholarship Golf Outing – Mr. Schweitzer recommended postponing the event and Shannopin Country Club would hold the deposit until next year. The borough has enough money in the scholarship fund to award scholarships for this year and next year. Council concurred.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MAY 13, 2020**

- The golf course reopened with all precautions and state guidelines being met for COVID-19. They perform regular sanitizing and restrictions are in place and have been posted to protect workers and golfers. It has gone very well so far. Revenue was down 73 percent due to the required state closure for COVID-19. However, since reopening last week, the revenue is \$25,000 for the month so far and it should continue to increase. The course is in outstanding condition.
- The parks department currently has four employees working four days per week. Mr. Schweitzer requested to hire one or two additional seasonal parks employees. Council authorized hiring the additional workers.
- There was discussion about increasing the number of workdays/work hours for parks and public works employees to bring everyone back to a 40-hour work week now that the Governor's stay at home order has been lifted. Public works employees will increase to four 10-hour days, and parks employees will increase to five 8-hour days. There was also discussion about taking the proper precautions when more than one person is in a vehicle. Mr. Ebner stated that he is looking into using the same professional cleaning service as the police department to clean and sanitize all vehicles once per week.
- Council discussed and agreed to a suggested ongoing golf course discount for Franklin Park first responders.

Report by Chief of Police

Chief Healy provided the following report:

- Both police officer candidates passed the background investigation conducted by Lieutenant Snyder and the polygraph examination conducted by Detective Leach. Chief Healy submitted his letter to the Civil Service Commission with the candidates' names, and he will meet with them next Thursday to certify the list. Council would then vote on the hiring in June.
- The police department renovations are moving along, and the squad room has been completed. The locker rooms will be started in the next week or so and should be completed in approximately two weeks. The officers assisted with running wires, and the disassembling and assembling of partitions, lockers and computers.
- A First Responder Parade will be held this Saturday, May 16th from 12-2:00 p.m. to thank residents for their support, Police, fire and EMS will follow two separate routes through the borough, and banners will be hung on the fire trucks to thank the residents for their support. Chief Healy noted that residents have been wonderful to all of the first responders, and we have a great community.

Report by Solicitor

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

- Mr. Junker indicated that after listening to the discussion regarding numerous stormwater projects, the borough may want to consider the creation of a stormwater authority under the Municipalities Authorities Act. The stormwater authority would be tasked with stormwater projects. They could obtain bonds for stormwater projects and impose fees that impact large contributors to stormwater issues that are exempt from paying property taxes.
- His firm has been following all the statutes and guidance as a result of the COVID-19 pandemic, and they have been providing guidance to their clients.

COVID-19 BOROUGH RESPONSE – Council and staff discussed the following:

- Borough Building – Mr. Ebner indicated that the borough building is closed to the public, but staff members are assisting in-person visitors as needed. Residents can come into the vestibule and ring a doorbell for service. There is also a window cut into the tax collector's office that can be used. At this time, staff is comfortable continuing to limit in-person visitors on a daily basis.
- Staff - Since the stay at home order will be lifted, some administrative employees will be working in the office five days a week. Some employees will continue to work from home and come into the office as needed. Employees who cannot work from home will be coming back to work in the office.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MAY 13, 2020**

- Meetings - The borough is permitted to hold in-person meetings for groups of 25 or fewer people, but how do we control the number in attendance? Mr. Junker indicated that you cannot turn people away, but we do have the ability to use Zoom video conferencing and other approved telecommunication devices under Act 15 during the Governor's declaration. The Planning Commission will meet virtually in May via Zoom.
Planning Commission will meet virtually in May via Zoom.
Recreation Board will not need to meet in person. Mr. Brower will send out an email to board members to find out if there are any items that need to be discussed.
EAC will meet virtually in June via Zoom.
Civil Service Commission will meet in person next Thursday with only six people in attendance.

The June meeting schedule will be discussed over the next few weeks and will be determined.

At this point, Mr. Bucuren, Mr. Phillips, Mr. Malak, Mr. Brower, Mr. Schweitzer and Chief Healy left the meeting.

REAL ESTATE TAX DEADLINE EXTENSION – Mr. Junker explained that under Act 15 municipalities and counties were given the option to pass a resolution within 30 days of enactment of Act 15 to: (1) Extend the discount period until the end of August; and (2) Waive any penalties or fees for untimely payments as long as the full amount of property tax for the borough's purposes is paid by December 31, 2020. Action is completely optional, but it must be done by May 20th. The borough tax bills were mailed May 1st. The 2 percent discount period currently ends on June 30th and the face amount is due August 31st. Council discussed, and it was pointed out that the bulk of borough real estate taxes are paid by the end of June. The borough has not received any comments or requests from residents regarding this matter, and Council decided to take no action to extend the deadline.

STATUS OF COMMUNICATIONS POSITION – Mr. Ebner indicated that he held off filling this position because under the current circumstances it did not seem like the right time to hire and train a new employee. It is his intention to revisit this position at the June work session when he will be in a better position to discuss the overall finances of the borough and the revenue shortfalls.

COUNCILMEMBER SELECTION SCHEDULE AND PROCESS – Ms. Striz has informed Council that she will be moving out of the borough, and she will submit her resignation effective May 31st. The vacancy will be posted on the borough website and in the newspaper. Council reviewed a proposed schedule they will follow to fill the vacancy, and it was noted that interviews must be held at a public meeting. Mr. Hogg indicated that Council would plan to interview candidates on June 17th but could move it back to July if necessary.

VACANCIES AND POSSIBILITY OF SCHEDULING AN ADDITIONAL MEETING IN JUNE – Mr. Hogg noted that in addition to interviewing candidates to fill the vacancy on Borough Council, Council will also need to interview and appoint someone to fill the vacancy on the Ambulance Authority, as well as interview and appoint a new Junior Councilperson for the 2020/2021 school year. He asked everyone to check their calendars, as it may be necessary to schedule an additional meeting to conduct all the interviews.

JUNIOR COUNCILPERSON APPLICATIONS – We have received five applications, and Council will need to schedule a date to conduct the interviews. The interviews are usually held in June and the appointment is made in July or August.

SCHOLARSHIP APPLICATIONS – We have received 21 applications that have been distributed to the Scholarship Selection Committee. Mr. Ebner has asked for their completed evaluations by June 1st. Council will plan to award ten scholarships at the June meeting.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL WORK SESSION MINUTES
WEDNESDAY, MAY 13, 2020**

AMBULANCE AUTHORITY BOARD COMPOSITION – Mr. Parks was curious why the borough is only represented by two board members and McCandless is represented by five board members. He suggested bringing this to the attention of the Ambulance Authority Board. Mr. Hogg noted that the Ambulance Authority has expanded over the years and now serves Pine, Marshall and Bradford Woods. Those municipalities should also have representation. Council discussed the matter, and Mr. Junker suggested that Council obtain a copy of the Articles of Incorporation to determine how the Authority was structured. It was noted that the borough also makes a voluntary donation to the Authority each year and McCandless does not. Mr. Parks will speak with current board member Mark Matera to inform him that the borough is seeking information.

COVID-19 PANDEMIC, FINANCIAL IMPACT TO BOROUGH – Mr. Ebner noted that the COVID-19 pandemic could result in a \$1,000,000 revenue shortfall this year, and the financial impact will carry into next year. He has spoken with other municipalities, and they expect to see a 20 percent reduction in earned income tax. Liquid Fuels Tax funds will be impacted next year since they are based on the sale of gasoline which is down due to the pandemic. At the June 3rd work session, Mr. Ebner will plan to review other revenue areas and make some recommendations for expenditure cuts to offset the losses. He will continue to monitor the situation closely on a monthly basis to recalculate projections and make decisions. The borough may need to look at reconsidering large expenditures to offset some of the revenue losses. Mr. Hogg noted that the staff and Council have watched the finances very closely over the last several years to ensure that the borough has an adequate fund balance to be prepared for a situation such as this. This matter will be added to the June 3rd work session for further discussion.

CELL SERVICE ISSUES – Ms. Striz had previously provided information to Council regarding her research as a result of a proposed cell tower at the Clover Hill Golf Course. She recommended that the borough form a technology advisory committee to investigate the technology and determine what makes sense to improve cell service in the borough. Council discussed the matter, and Mr. Parks noted that there is a technology committee of Council that could discuss and explore this issue. Ms. Striz suggested adding one or two residents with this type of knowledge or background to assist the committee in this endeavor.

LEASING OF PUBLIC LAND – Dr. Li had brought up this matter at a previous meeting, and it was put on the agenda this evening for discussion. Dr. Li stated that some residents had brought up this issue to him and other Council members, and they would like Council to address this issue. Dr. Li would like to hear the opinions of the residents regarding the leasing of public land and suggested that something be posted on the website seeking resident input. He also asked Borough Council for their opinions and how to proceed. Both Mr. Malkin and Ms. Striz stated that they had received emails from residents and suggested that those residents send their concerns to all Council members. Mr. Hogg, Mr. Parks and Mr. Schwartzmier indicated that they had not received any communication regarding this matter. Mr. Hogg stated that Council took care of this matter by voting against the Linbrook Park lease and enacting the strongest ordinance in the state. This is a small group of people emailing a small group of Council. If this is a community issue, residents must contact all members of Council so it can be discussed and addressed as a Council. The matter is on hold until these residents contact all members of Council. The borough has done more regarding this matter than any other municipality in our area, and this issue should be addressed by other municipalities who have not yet taken any action.

Mr. Hogg noted that the borough has not received any reply to the letters sent a few months ago to Representative Mike Turzai and Governor Wolfe requesting that the state allow municipalities to adjust zoning laws at the local level regarding oil and gas drilling. Senator Lindsey Williams has indicated that she did not believe that she was in a position to help the borough. Mr. Hogg asked if anyone has heard anything regarding the multi-municipal plan that a resident had indicated was in the process. Hearing no response from any member of Council, Mr. Hogg indicated that both matters are a dead issue.

COMPREHENSIVE PLAN REVIEW - The Comprehensive Plan review by the Planning Commission has been put on hold due to COVID-19. The next step will be to speak with a consultant regarding how to proceed with putting together a joint plan with Ohio Township. Mr. Hogg encouraged Council to review the current Comprehensive Plan that is available on the website.

MANAGER'S REPORT DISCUSSION ITEMS

- Northland Library Formula – Mr. Ebner stated that the library is proposing some very minor tweaks to the funding formula that will not impact the ratio we are paying. The library board has already approved the change, but Council must approve the change by ordinance. Council discussed and asked questions. An ordinance will be introduced in May for enactment in June.

REPORTS FROM COUNCIL MEMBERS

- Ms. Striz stated that it has been a pleasure working with everyone.
- Mr. Hogg – Mr. Hogg mentioned that we will keep the usual meeting dates in June and will decide later if the meetings will be held in person or virtually. A meeting may be added on June 10th if it is necessary. Mr. Hogg had also asked Mr. Ebner to check into refinancing the bond issue for the new fire station. Mr. Ebner indicated that the bond cannot be refinanced until September 2021.

EXECUTIVE SESSION – An executive session was held to discuss police department staffing (personnel), the Deerfield Estates Plan (Attorney-client privilege) and the Gray litigation.

As there was no further business, the meeting adjourned at approximately 11:45 p.m.

Respectfully submitted,



Cathy L. Krummert
Borough Secretary