

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING MINUTES
WEDNESDAY, AUGUST 19, 2020**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, August 19, 2020 at 8:00 p.m. at the Municipal Building, 2344 West Ingomar Road, Pittsburgh, Pennsylvania 15237. The meeting was also held virtually via Zoom remote audio and video conferencing due to the COVID-19 pandemic.

Council President Jim Hogg called the meeting to order.

Pledge of Allegiance

Cathy Krummert called the roll:

COUNCIL MEMBERS:

James W. Hogg present
Jiang Li participated via Zoom
Brian S. Malkin participated via Zoom
John P. Parks present
Thomas C. Schwartzmier present
Luke R. Myslinski present
Junior Councilperson Emma Bernardi present
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 absent/excused
Gary Bucuren, Superintendent of Public Works absent/excused
Rege Ebner, Borough Manager participated via Zoom
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 absent/excused

PUBLIC COMMENTS

Mr. Hogg stated that two written public comments were submitted prior to the meeting, and he summarized them as follows:

Harold Garbooshian, 2206 Ben Franklin Drive – Mr. Garbooshian had submitted an email asking Council to open up the Old Orchard Park pickleball courts entirely with no restrictive hours. He also requested that the pickleball courts remain in the park permanently and asked that the borough abandon any plans for a water feature in the park. Mr. Hogg stated that there are no plans for a water feature, and he does not know how that rumor started.

Donna Kline, 1805 Pioneer Drive – Ms. Kline had submitted an email in support of the conditional use application that will be voted on this evening.

Carol Hesz, 2240 Kingridge Road – Ms. Hesz was present to acknowledge Council and the Mayor for listening to the concerns of the residents in the Old Orchard Park area regarding the noise issue with the pickleball courts. She thanked them for the steps that have been taken so far, and she hopes to work toward a permanent solution once the pickleball courts are installed in Blueberry Hill Park.

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APPROVAL OF THE MINUTES – Mr. Myslinski moved the minutes of the June 17, 2020 special meeting, the July 15, 2020 pre-meeting, the July 15, 2020 regular meeting, and the August 5, 2020 work session, be approved, seconded by Mr. Malkin and carried.

TREASURER’S FINANCIAL REPORT - Mr. Ebner summarized the July Treasurer's Financial Report. Year-to-date revenues totaled approximately \$5,896,000. Year-to-date expenditures totaled approximately \$4,357,000. Mr. Ebner noted that we are tracking closely with where we have been the last two years. Mr. Schwartzmier moved the July Treasurer's Financial Report be accepted as read, seconded by Dr. Li.

POLICE REPORT – Mayor O’Keefe read the Police Report and activity report for the month of July 2020. The Mayor noted that the police department received seven letters in July thanking and supporting the police officers. Two groups also delivered lunch for the entire department. The Mayor, Chief, officers and Council are very appreciative of all the support the officers receive from the community. It exemplifies the fine work of our police department. Mr. Schwartzmier recommended the Police Report be filed with the Police Secretary.

FIRE COMPANY REPORT - Mr. Parks read the Fire Company Report for July 2020. Mr. Parks indicated that the manpower hours for the month were 165 volunteer hours, and year to date the fire company responded to 156 calls. The fire company received three letters of appreciation from residents.

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for July 2020. Mr. Phillips issued 29 permits and collected \$8,788.00 in fees. Total value of construction was \$860,791.00.

ANNOUNCEMENT OF EXECUTIVE SESSION – Mr. Hogg announced that Borough Council held executive sessions on July 15, 2020 to discuss the potential purchase of real estate; on August 5, 2020 to discuss a police grievance, the Bellissimo conditional use application (quasi-judicial deliberations), a potential purchase of real estate and personnel; and on August 19, 2020 to discuss the potential purchase of real estate and a police grievance.

OLD BUSINESS

JOSEPH BELLISSIMO, 1906 COLONIAL DRIVE, CONDITIONAL USE PUBLIC HEARING – Mr. Myslinski moved to grant approval for the amended Conditional Use Application No. CU-20-06-03 submitted by Joseph Bellissimo for a home occupation to obtain a Federal Fire Arms License to transfer firearms at the residential property located at 1906 Colonial Drive in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer’s Staff Report dated June 23, 2020, seconded by Mr. Schwartzmier. Mr. Hogg commented that the motion was amended to be consistent with Mr. Bellissimo’s testimony at the conditional use public hearing last month. Mr. Bellissimo had testified that he would be transferring firearms, not selling firearms. The motion was the voted on as follows:

Mr. Hogg.....No
Dr. Li.....No
Mr. Malkin.....No
Mr. Parks.....No
Mr. Schwartzmier.....Yes
Mr. Myslinski.....No

The motion was denied.

NEW BUSINESS

APPROVAL OF THE BILLS – Mr. Malkin moved Council authorize the payment of the bills, which have been reviewed and approved since the last meeting, seconded by Mr. Parks and carried.

DIXON/McKEE LOT LINE REVISION, 1598 OAKLEAF LANE & 1501 GOLDENBROOKE LANE – Mr. Parks moved to approve Subdivision Application No. SS-20-08-03 submitted by Ted Dixon for the Dixon/McKee Lot Line Revision, for a lot line revision between the two existing properties located at 1598 Oakleaf Lane and 1501 Goldenbrooke Lane in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated July 23, 2020, and the letter from Senate Engineering Company dated July 20, 2020, seconded by Mr. Schwartzmier and carried.

WILLOW RIDGE PLAN, PERFORMANCE BOND REDUCTION – Mr. Schwartzmier moved Performance Bond No. 800036016 in the amount of \$294,900.00 issued for the Willow Ridge Plan, be reduced by \$204,800.00 leaving a balance of \$90,100.00, in accordance with the letter from Senate Engineering dated July 28, 2020, seconded by Mr. Myslinski and carried.

KALEE L. BREIDEGAM LAND DEVELOPMENT, LETTER OF CREDIT CANCELATION – Mr. Myslinski moved NextTier Bank Irrevocable Standby Letter of Credit No. 805 in the amount of \$38,500.00 issued for the Kalee L. Breidegam Land Development at 2423 Rochester Road, be reduced by \$38,500.00 leaving a balance of \$0.00 and canceled, in accordance with the letter from Senate Engineering dated August 11, 2020, seconded by Mr. Parks and carried.

RESOLUTION NO. 1227-2020, SALE OF 2007 GMC DUMP TRUCK AT AUCTION – Mr. Junker summarized Resolution No. 1227-2020. Mr. Schwartzmier moved to adopt Resolution No. 1227-2020 declaring a 2007 GMC 8500 Dump Truck (last four digits of Vin# are 9588) with snow plow and salt spreader, as surplus personal property; declaring the estimated fair market value of each vehicle over \$2,000; authorizing the sale and disposition at public auction on Saturday, September 12, 2020 at Mathies & Sons, Inc., T/A 422 Sales, Slippery Rock, PA, and directing the Secretary to advertise the sale, seconded by Mr. Myslinski and carried.

RESOLUTION NO. 1228-2020, APPROVING THE CORONAVIRUS RELIEF FUND RECIPIENT AGREEMENT – Mr. Junker summarized Resolution No. 1228-2020. Mr. Parks moved to adopt Resolution No. 1228-2020 approving the Coronavirus Relief Fund Recipient Agreement between the Borough and Allegheny County, and authorizing the Treasurer to execute the agreement, seconded by Mr. Myslinski and carried.

RESOLUTION NO. 1229-2020, APPOINTING JUSTIN PAPCIAK TO THE ZONING HEARING BOARD – Mr. Junker summarized Resolution No. 1229-2020. Mr. Malkin moved to adopt Resolution No. 1229-2020 appointing Justin Papciak to the Zoning Hearing Board to fill the unexpired term of Luke Myslinski, which term will expire December 31, 2024, contingent upon the satisfactory completion of a Pennsylvania Criminal Background Check and a Pennsylvania State Ethics Commission Statement of Financial Interests, seconded by Dr. Li. Mr. Hogg commented that there were five excellent applicants for one vacancy. It is good that we have so many residents willing to serve and share their talents. The motion was then voted on and carried.

RESOLUTION NO. 1230-2020, APPOINTING DAN McLANE AS AN ALTERNATE MEMBER TO THE ZONING HEARING BOARD – Mr. Junker summarized Resolution No. 1230-2020. Mr. Myslinski moved to adopt Resolution No. 1230-2020 to appoint Dan McLane as an alternate member of the Zoning Hearing Board, to serve a three-year term, which term will expire December 31, 2022, contingent upon the satisfactory completion of a Pennsylvania Criminal Background Check and a Pennsylvania State Ethics Commission Statement of Financial Interests, seconded by Mr. Malkin and carried.

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RESOLUTION NO. 1232-2020, APPOINTING LAURA CZEKAJ AS AN ALTERNATE TO THE ZONING HEARING BOARD – Mr. Junker summarized Resolution No. 1232-2020. Mr. Myslinski moved to adopt Resolution No. 1232-2020 to appoint Laura Czekaj as an alternate member of the Zoning Hearing Board, to serve a three-year term, which term will expire December 31, 2022, contingent upon the satisfactory completion of a Pennsylvania Criminal Background Check and a Pennsylvania State Ethics Commission Statement of Financial Interests, seconded by Dr. Li and carried.

RESOLUTION NO. 1231-2020, EMMA B. GROSS PLAN, OFFICIAL SEWAGE FACILITIES PLANNING MODULE – Mr. Junker summarized Resolution No. 1231-2020. Mr. Schwartzmier moved to adopt Resolution No. 1231-2020 adopting an Official Sewage Facilities Planning Module for the Emma B. Gross Plan, seconded by Mr. Myslinski and carried.

APPOINT LUKE MYSLINSKI AS THE ALTERNATE TO THE NORTH HILLS COG EXECUTIVE BOARD – Mr. Parks moved to appoint Luke Myslinski as the alternate to the North Hills Council of Governments Executive Board, seconded by Mr. Schwartzmier and carried.

ACCEPT RESIGNATION OF LORI MERRIMAN FROM THE RECREATION BOARD – Mr. Malkin moved to accept the resignation of Lori Merriman as a member of the Recreation Board, effective immediately, seconded by Dr. Li and carried.

AUTHORIZE BOROUGH MANAGER TO NEGOTIATE THE PURCHASE OF TWO PROPERTIES – Mr. Schwartzmier moved to authorize the Borough Manager to negotiate the purchase of two properties located at 2634 Big Sewickley Creek Road, identified as Block & Lot Nos. 1343-L-216 and 1343-L-204 at a price not to exceed the asking price, seconded by Mr. Myslinski and carried.

SOLICITOR – Get well wishes for Mr. Ebner.

MAYOR O'KEEFE – Get well wishes for Mr. Ebner. Thanked the five Zoning Hearing Board applicants.

MR. PARKS – Get well wishes for Mr. Ebner.

MR. MALKIN – Get well wishes for Mr. Ebner. Welcomed Justin, Dan and Laura to the Zoning Hearing Board.

DR. LI – Get well wishes for Mr. Ebner.

MR. MYSLINSKI – Get well wishes for Mr. Ebner. Welcomed the new Zoning Hearing Board members and thanked those who applied.

MR. SCHWARTZMIER – Get well wishes for Mr. Ebner.

EMMA BERNARDI, JUNIOR COUNCIL PERSON – Welcomed the new Zoning Hearing Board members.

BOROUGH ENGINEER – Get well wishes for Mr. Ebner.

CHIEF OF POLICE – Get well wishes for Mr. Ebner.

BUILDING INSPECTOR/ZONING OFFICER – Get well wishes for Mr. Ebner.

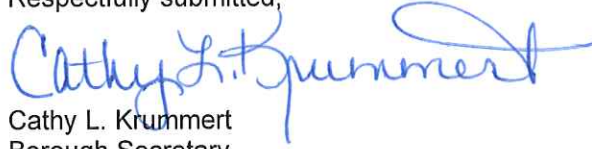
COMMENTS FROM THE FLOOR

Ray Ojerholm, 2540 Country Side Lane – Mr. Ojerholm asked about the intended use of the two properties the borough is negotiating to purchase. Mr. Hogg stated that the properties would be greenspace with the possibility of restoring the buildings for borough use/events. The properties are located directly across from Linbrook Park.

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MOTION TO ADJOURN – Mr. Myslinski moved to adjourn the meeting, seconded by Mr. Schwartzmier and carried. The meeting adjourned at 8:26 p.m.

Respectfully submitted,



Cathy L. Krummert
Borough Secretary

Audience - 32 (8 in person/24 virtual)