

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL PRE/POST MEETING MINUTES
WEDNESDAY, SEPTEMBER 15, 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..... absent

PRE-MEETING

AUDIENCE: 6

OLD BUSINESS - None

AGENDA REVIEW - The following September 15, 2021 regular meeting agenda items were discussed:

- Public hearings – Mr. Junker reviewed the procedures and options for the two public hearings on tonight's agenda (Greg Baker conditional use application and Ordinance No. 664-2021 "Animal Husbandry – Chickens").
- Garbage & Recycling Bid – The low bid was from Waste Management, and all services will remain the same. The borough rates are lower than the rates for the participating COG municipalities.
- Lansdale Milling/Paving Agreement with Marshall Township – The agreement is in order for approval this evening.
- Resolution No. 1268-2021 – This resolution declares an emergency due to catastrophic flooding on White Oak Court and authorizes the expenditure of funds to complete the project to alleviate flooding.

MANAGER'S REPORT DISCUSSION ITEMS

- Insurance renewal – The rates for the October 1st renewal look good, and we are also getting quotes for cyber liability coverage for the first time.
 - Package rate is increasing by .4%.
 - Public Officials coverage is going up 4.8%.
 - Police Professional coverage is going down 2.3%.

- Penn Energy lease extension at 2634 Big Sewickley Creek Road – Ms. Huppenthal, the former owner, had signed a five-year lease agreement with Penn Energy back on October 3, 2016 when she owned the properties. Under the lease terms, Penn Energy had the right to extend the lease another five years, and they have decided to do so. The terms of the lease are that they will send the same bonus check as they did when the original lease was signed. Since the Borough purchased the property, we have received a one-time payment in the amount of \$12,553.19. We will also receive royalties in the amount of 15% if they extract any gas from under the properties.

- Final Senate Engineering billing – We received a final bill from Senate Engineering that includes the following:
 - Retainer for the months of May, June and July
 - \$1,500 for miscellaneous items
 - Just under \$16,000 for all of the MS4 work this year going back to MarchAlthough we do not have a final product to take to the DEP, we cannot contest the fact that they probably did the work. The bill will be approved for payment.

- Repair of PennDOT stormwater pipe and catch basin at 2264 Reis Run Road – Mrs. Turnbull bought her house back in December, and there are several failing pipes, catch basins and grates. One of the catch basins and the pipe under Reis Run Road was installed by PennDOT. PennDOT is now claiming that it is the Borough's responsibility. Staff met on site with PennDOT and Kimberly Kaufman from Rob Mercuri's office. PennDOT insisted that it is the law, and Mr. Junker noted that it is PennDOT's policy. Mr. Junker noted that this has been discussed before, and he reviewed PennDOT's stance. Since the work would be in the PennDOT right of way, the Borough would be required to obtain an HOP and meet all of the PennDOT specifications for the work. The Borough would replace the failing catch basin and the pipe that goes to a second catch basin. PennDOT will replace the grate on top. Mrs. Turnbull has had people looking at her privately installed facilities to see if they are working properly. The Borough is willing to extend the paving into her driveway to some extent so that all of her stormwater infrastructure works. The Borough would then bill Mrs. Turnbull for the cost. There was then discussion regarding this project.

There was a brief discussion regarding a failing pipe under Little Sewickley Creek Road that PennDOT says is the Borough's responsibility.

There was discussion regarding fighting PennDOT's stance that the repair and replacement of underground stormwater infrastructure is a Borough responsibility. It was noted that Senator Lindsey Williams is disappointed that PSAB isn't pressing the issue further. The administration and PennDOT are putting a lot of pressure on the Legislature to leave things the way they are.

Mr. Ebner noted that PennDOT has delayed the paving of Nicholson Road until next year, and they have indicated that they will replace any tin whistle pipe and any failing catch basins.

- Coyotes in Blueberry Hill Park – We have received complaints regarding coyotes in the area of Blueberry Hill Park. Mr. Ebner talked to the Game Commission who advised that coyotes usually do not approach humans. Since the Borough previously tried in do something about coyotes in Old Orchard Park and residents complained, we will take no action.

REPORTS FROM COUNCIL MEMBERS & MAYOR

- **Mr. Myslinski** discussed the recent TAC meeting and noted that some misinformation is circulating. He stated that SBA (company who builds towers and leases space on the towers) had a representative attend the TAC meeting. The TAC is investigating all options to improve first responder radio communications and cell service.

Mr. Hogg noted that the TAC agenda listed "cell tower at Clover Hill Golf Course" as an agenda item. Residents saw the agenda item and assumed that the Borough was much further along in the process. He clarified that Council's instruction to the TAC was to analyze and research the telecommunications issue. They were not given any specific directions. Since the meeting, the TAC has also spoken with Verizon who indicated that micro sites and small cells would not work, and cost is one of the biggest factors. Andy Nock and the TAC members will talk with SBA to explore all possible options to solve the radio communications safety issue for first responders and to improve cell phone reception. Mr. Myslinski also noted that on October 2nd the fire company will be holding a Founders Day Open House and a blood drive at the fire department from 1:30-4:30 p.m. The fire company Centennial celebration will be held in conjunction with the Festival in the Park next year.

- **Mr. Schwartzmier** thanked the public works department for mowing the roadsides.
- **Mr. Hogg** stated that five committee meeting slots are available for the remainder of the year. Please contact Mrs. Krummert to schedule a committee meeting.

EXECUTIVE SESSION – An executive session was held to discuss the Gray litigation, Oak Grove potential litigation and Summer Fields potential litigation.

The regular meeting was held from 8:00 p.m. to 9:05 p.m.

POST-MEETING

As there was no further business, no post meeting was held.

Respectfully submitted,



Cathy L. Krummert
Borough Secretary