

**NORTH FRANKLIN TOWNSHIP
MEETING MINUTES
January 15, 2019 at 5:00 pm**

CALL TO ORDER by Chairman Junko

PLEDGE OF ALLEGIANCE

OPENING PRAYER – Pastor Erik Hoeke, Avery United Methodist Church

ADD ITEMS TO THE AGENDA - None

PUBLIC COMMENT AGENDA ITEMS – None

APPROVAL OF MINUTES

****MOTION to approve the minutes of the December 11, 2018 meeting, the December 27, 2018 Special meeting and the January 7, 2019 Reorganization Meeting was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.**

TREASURER'S REPORT

****MOTION to file the Treasurer's Report for future Audit was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.**

BUILDING PERMITS – Harold Ivery from Municipal Consulting Services read the December report which included seven (7) building permits totaling \$3,717.00

BILL APPROVAL AND CHECK SIGNING

****MOTION to approve total bills and check signing was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.**

GUESTS

Dennis J. Locy of 1600 Park Avenue questioned the Township retaining wall Ordinance. He explained that it was his understanding that you could put a retaining wall on your property as long as you had a survey done. He asked the Board of Supervisors what happens if a survey is not done but a wall is still

built as his neighbor has proceeded to do. Harold Ivery responded that a survey is needed if the wall is built on the property line. He said the builders gave him an older survey and he used picometry to make sure the wall had proper setbacks. He said the wall was about a foot and a half from the property line. Mr. Locy explained that he had spent \$1200 to get a survey done today and it was determined that that the wall is completely on his property. He was very concerned that he had to pay to have a survey for another home owner's project. Mr. Ivery said the wall was built without having a survey done so the case would go to the Magistrate. Mr. Ivery explained that the Ordinance doesn't specify that a survey is required but that the general rule is that if it is built on the property line then a survey is required. Mr. Locy stated that going forward to protect property owners, the Ordinance should be revised. Solicitor Sweat advised the Board to authorize an amendment to the Ordinance to include the requirement of a survey prior to construction of a retaining wall.

OLD BUSINESS

- 1. Appointment of Sewage Enforcement Officer/Local Sanitation Council**
****MOTION to appoint Washington County Sewage Council to act as the Sewage Enforcement** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

- 2. Chestnut Street Flooding letter from property owners**

Mr. Sweat advised that after a meeting of property owners it was discussed that the expense of the pipe repairs on West Chestnut Street should be shared. He explained that they were not asking the Township to contribute money for the project but that once it was repaired, the Township would take over the pipe as a sanitary easement to be owned by the Township. Mr. Sweat said there are a number of legal issues to be discussed before a decision is made. Mr. Sweat explained that any design would have to be approved by the Township Engineer and the entire area would need to be video taped before the plan and scope of work are finalized. He recommended that the property owners would get with their own contractor to do the work instead of giving the money to the Township which would require bidding the job out. He said all the work would be done at the property owners' expense and if the pipe was turned over to the Township, an 18-month Maintenance Bond would be required. Mr.

Sabot said he would listen to the property owners but that he had grave reservations because it deals with private property and a State Road. He also stated that he felt an 18-month bond wasn't long enough. Mr. Passalacqua recommended that the Township Road Crew could clean out the debris building up in the opening of the culvert. Mr. Junko said that the flooding might still exist because the State pipes are too small.

NEW BUSINESS

1. Township Employee's vacation policy

****MOTION to change the Township vacation policy in order that vacation time must be used by December 31 each year or be forfeited, vacation time will not carry over into a new calendar year and employees will not be compensated for any unused vacation time was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**

2. DCED Study of local fire Protection Services

****MOTION to participate with North Franklin Volunteer Fire Company in the DCED study to explore partnering with other municipalities was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**

3. Resolution #6-2019

****MOTION to enact Resolution #6-2019 Amending the Dye Test Fee to \$175.00 was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.**

FIRE CHIEF'S REPORT

Chief Bane reported that for December 2018 the Fire Department had one (1) building fire, one (1) cooking fire, two (2) chimney fires, one (1) transport vehicle fire, nine (9) medical calls, two (2) motor vehicle accidents, one (1) gas leak, one (1) water problem, four (4) calls canceled in route, one (1) false alarm, one (1) flood assessment and one (1) special incident for a total of 25 calls. He stated that for the year to date they had 409 calls. They averaged 5 persons per call and the average response time from dispatch to arrival on scene was 10 minutes and 9 seconds. Sixteen (16) new Air-Packs and five (5) sets of new gear were purchased in 2018.

CODE ENFORCEMENT OFFICER'S REPORT

Jarod D'Amico stated that Code Enforcement had ten (10) complaints; two (2) trash and junk, three (3) vehicles, others. The vehicle on Williams Street was removed.

SOLICITOR'S REPORT

Mr. Sweat advised that the new owners of Macy's have filed a tax assessment appeal. The property had been assessed at \$5.5 million dollars.

The appraisal by the new owners for the building and the land is \$1.2 million dollars. He stated that this would represent a \$57,000 loss for the School District and about \$6,200 for the Township.

Mr. Sweat reported on the Conditional Use hearing which was held before the Township meeting for the construction of a new Burger King on West Chestnut Street. He said last week the Zoning Hearing Board granted four (4) variances that they needed to obtain the Conditional Use. He advised that the Board of Supervisors voted 3-0 to approve the Conditional Use.

Mr. Sweat reported that the Township was able to make the 2018 Minimum Municipal Obligation to the Police Pension payment of \$186,458 by the December 31, 2018 deadline thus avoiding a significant penalty. In addition, the Township was also able to make the 2018 General Obligation Bond payment in the amount of \$167,964 to avoid the bond going into default. He stated that the loan from the Recreation & Business Improvement Authority helped to meet those obligations.

SUPERVISOR JUNKO'S REPORT

Mr. Junko advised that the Township was still waiting for \$250,000 from the State which has been held up by the incompleteness of the Financial Audits for 2016 & 2017.

SUPERVISOR SABOT'S REPORT

Mr. Sabot advised that "effects bargaining" was ongoing with the former Police Department and would hopefully be up for a vote at the February meeting. He also noted that the Auditors from Cypher & Cypher were working to complete the 2016 Financial Audit in a few weeks. Mr. Sabot advised that Secretary/Treasurer, Jackie Kotchman, has sent two checks to Kennywood totaling \$3,624 in an effort to pay the balance owed. He also recognized the fact that the Township made a \$40,000 donation to the Fire Company for 2018. He hoped that the amount could be increased in the future. Mr. Sabot advised that Stu Williams and Chris Blaine from the Wild Things would be at the February meeting to do a 10-minute presentation to the Supervisor's and the public about their upcoming events in 2019.

Mr. Sabot also advised the Supervisor's would be reviewing the request from the Fire Company concerning Act 172, which would relieve active fireman from local property tax.

SUPERVISOR PASSALACQUA'S REPORT

Mr. Passalacqua advised the public that it was no easy task to disband the police department and deprive officers of their jobs, but that it was something that need to be done.

PUBLIC COMMENT NON-AGENDA ITEMS

1. Tim Fritz of 1487 Gabby Avenue, referring to a budget handout that was distributed at the meeting, asked if the previous Secretary/Treasurer had medical insurance. Mr. Sabot confirmed she did not. Mr. Fritz then asked if the current Secretary/Treasurer had medical insurance and Mr. Sabot confirmed she did not and neither did the Director of Planning and Zoning. Mr. Fritz agreed that it would save the Township a lot of money. He then questioned the cell phone reimbursement amount. Mr. Junko explained that the amount included \$450 reimbursements for each of the police officers, the supervisors and the Township Manager. Mr. Fritz then questioned who did the repair work for the \$26,000 listed under Vehicle and Repair expenses. Mr. Junko explained that West Tire, Jim Murray's, and Washington Ford were some of the vendors used. Mr. Fritz also asked how many vehicles were covered by the \$16,000 listed under Liability and Vehicle Insurance and that he thought it was a high

amount. Mr. Junko explained that the amount covered the Police vehicles as well as Property Liability and Professional Liability Insurance. He explained that insurance on Police and Police vehicles would be higher than non-police policies because of the increased risks involved. Mr. Fritz then asked why the Road Crew expenses were lumped into one figure. Mr. Sweat advised that this was not a deposition and that if he wanted detailed answers to submit the questions in writing. Mr. Fritz then said he was done and sat down.

2. Chris Cipoletti of 47 Reese Road, Buffalo Township, advised he was representing two members of his family, David and Jean Cipoletti, who reside in North Franklin Township. He explained that one of the reasons his family members moved here and built new homes here was because the Township had a Police Department. He acknowledged that the police had been in the Township for 50 years and now since last year was so bad financially, we had to suddenly get rid of the police. He said the Township should show where the money is going and he asked if the residents would get a credit now that the police 1.2 million budget is erased. He suggested that the Township Supervisors could have had a community meeting and asked residents what they thought. Mr. Junko explained that the decisions the Supervisors made were done with careful consideration and in the best interest of the Township.
3. Christina Hartzell of 76 Fulton Street voiced her concerns that if an active shooter was at the high school, middle school or elementary school, how fast could the State Police respond to it. Mr. Junko advised Ms. Hartzell that the Trinity Area School District has hired 7 police officers to protect our schools. He said he did not have an answer on how fast the State Police could respond. Ms. Hartzell also asked if something would be done about the tree branches that were hitting the top of her car. Mr. Junko said it hopefully would be addressed.
4. Mike Mull of 51 Mc Jay Drive addressed the Board with his concerns about the disbanding of the police department. He said he has two daughters and he moved here because we had police, a fire department and schools all in the general area. He wanted to know when the residents would be offered the opportunity to pay more in taxes. He explained that he just spent \$2,500 on a security system and he would have put that towards a police department. Mr. Sabot advised that because we are in “effects bargaining” with the police

union, the Township could not talk about police coverage at this time. He explained that in the event of an active shooter or crisis there exists a mutual aid with other municipalities which would “kick in” immediately. Mr. Mull also mentioned having a Cash Bash to help support a police department. Mr. Sabot added that a complete budget with all the line items is available for review. He said he would personally sit down with Mr. Fritz and discuss the line items in detail.

5. Delores J. Loar of 360 Winona Avenue advised the Board of her neighbor parking too close to a retaining wall she needs to repair. Code Enforcement Officer Jared D’Amico tried to explain to Mrs. Loar that she needed a building permit to build the wall. She said the wall has been there for 59 years and she is not going to get a permit.
6. Robert Loar of 63 Cleveland Road advised the Board that he would be the one fixing the wall and that he wants the van moved. Jared D’Amico advised that where the van is parked is not a violation any Township Ordinance. Mr. D’Amico said he would have to work it out with his neighbor as it’s a civil dispute. Mr. Sabot advised Mr. Loar that the van is legal and is on a public road and when he was ready to build the wall, the Township would have them temporarily move the van.
7. Heather Glaser of Greenhill Drive asked Mr. Sabot if he could explain why we are not pursuing the repairs on West Chestnut Street. Mr. Sabot explained one of the options on the table was to go ahead and fix the problem and then bill the other property owners. He said they would not agree to that because the Township may not recoup their money. Another option that was not agreed to was to fix it, collect the money and then the Township would take it over. Mr. Sabot said they entertained the idea of taking it over after an 18-month waiting period but that the Supervisors are not comfortable taking it over because its on private property, it isn’t the Townships line and it flows out onto a State Road. Ms. Glasser added that it’s shocking that a Township of 5,000 people could be in such disarray and asked the Supervisors to reassure the public that going forward that a Secretary won’t be able to hide years of unfinished audits under their watch. Mr. Sabot advised the problems with the police budget have been going on for a very long time since he was a Supervisor in 1997. He stated that arbitration agreements and arbitration

awards resulted in the police getting more and more. He added that Supervisor Jim Huff stated in 2012 that the Township was financially distressed so he doesn't know why people are shocked about this now. He explained that instead of fixing the problem and taking the next step, they added to the Bond and increased it from \$65,000 to \$183,000 until the year 2040. He explained that the current Supervisors discussed raising taxes to deal with the problem but that some residents would see an increase in \$500 or more per home. Mr. Sabot advised that this would just be putting a band-aid on a problem that has escalated from grievances and sexual harassment suits and things that they had no control over. Ms. Glasser also voiced her concern about the Supervisors overseeing the Administration of the Office and she hoped that the entire budget could be placed on the website in the form of a PDF file. Mr. Sabot advised that the budget would be on the website and that it would be updated and improved.

8. Tony Genacaro of 1601 Park Avenue advised that he was the Constable of the Township and that he felt the Supervisors were doing a darn good job. He commended the Fire Department on a great job and thought the Township should get the State involved on the flooding issues. Mr. Sabot agreed that the State needs to take some responsibility.
9. Willie McDowell of Milbeck drive thanked the Supervisor's for everything they do. She stated that she had come to a meeting before and asked the Supervisors about cleaning up the Township. She said they did have a Township Clean-up and she appreciated it. Mr. Sabot advised that he asked Peter Riddell, an Eagle Scout, who was honored at a Township Meeting in the Fall to spearhead a Township Clean-up utilizing high school students in the Spring.
10. Art Batson of 1612 Edwards thanked the Supervisors for moving the meetings back one hour to 5:00 pm.
11. Al Pierson of 1532 Ridgewood Drive asked the board if anything would be done in the Spring to clean out the tributaries in the Township. Mr. Junko advised that the Corp of Engineers was supposed to address the issue in the future.

12. Dave Bane, North Franklin Fire Chief, addressed that not having a police department has changed the way they answer their calls. He explained that medical calls, violence or drug overdoses require them to stage an area and wait for the State Police to get there which in turn could put someone's life in danger. He said they do carry Narcan. He also stated that our police department would get to vehicle crashes before they did and that their presence at Bingo was beneficial.

ADJOURNMENT

****MOTION to adjourn** was made by Mr. Sabot; seconded by Mr. Junko.
Unanimously carried.