

**NORTH FRANKLIN TOWNSHIP  
MEETING MINUTES**

**April 9, 2019**

**5:00 pm**

**CALL TO ORDER** - Present were Mr. Junko, Mr. Sabot, Mr. Passalacqua and Solicitor Gary Sweat.

**PLEDGE OF ALLEGIANCE**

**OPENING PRAYER** – Pastor Paul Gray

**ADD ITEMS TO THE AGENDA** - None

**PUBLIC COMMENT AGENDA ITEMS** – Frances Eates of 236 Hazlewood Drive recognized the Board of Supervisors for working diligently to correct the deficit they were facing at the end of 2018. She asked the Board to carefully consider things that are not necessities right now like the Kennywood Park Tickets until they know where they sit with the budget.

**APPROVAL OF MINUTES**

**\*\*MOTION to approve the minutes of the March 12, 2019 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.

**BILL APPROVAL AND CHECK SIGNING**

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

**BUILDING PERMITS** – Harold Ivery from Municipal Consulting Services read the March report which included three (3) building permit totaling \$3126.00

**GUESTS** - None

**ORDINANCE ADOPTION No. 1 of 2019**

**\*\*\*MOTION to adopt Ordinance No. 1 of 2019** Establishing a Volunteer Service Credit Program to Implement Act 172 of 2016, Enacting Tax Credits for Municipal Volunteers of Fire Companies and Nonprofit Emergency Medical Services Agencies; and Establishing Administrative Procedures and Appeals was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.

## RESOLUTION ADOPTION No. 8 of 2019

**\*\*MOTION to adopt Resolution No. 8 of 2019** confirming Adoption of the North Franklin Township Zoning Ordinance (Ordinance No. 1 of 2018) and authorize the filing of the Official Map of the Township in the Washington County Recorder of Deeds Office was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.

## OLD BUSINESS

1. **\*\*MOTION to pay the remaining loan balance of \$137,500 to the Recreation & Business Improvement Authority on or before April 15, 2019** was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.
2. **\*\*MOTION to pay the close out balance of \$198,435.88 to Morgan Excavating, L.P. for completion of the 2018 Road Improvement Project** was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.
3. **\*\*MOTION to advertise bidding for the 2019 Street Sign Replacement Project** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried. Mr. Sabot noted that all the current street signs would be replaced with traditional blue and white street signs in the summer of 2019.
4. **\*\*MOTION to accept the Seward Fence Company quote in the amount of \$11,382.00 for replacing the Road Maintenance Fence** was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.
5. **Police Subcontracting** -Mr. Sabot advised that he had met with the Observer-Reporter a few weeks back explaining the Township's position going forward with Police protection. However, he advised that after the shooting at the Hollywood Theater at Crown Center, there was a sideswipe editorial in the Observer-Reporter claiming that the City of Washington had to come to the aid North Franklin Township again. He explained that when the Board of Supervisors disbanded the Police Department in December 2018, they knew there was an existing Union contract through 2020. He advised that they knew that if the Police Union would not cooperate with the Township, then the Township would rely on State Police protection until July or December of 2020. He explained that the Board of Supervisors had made repeated attempts to reach a financial settlement with Police Union Local 205 to be released from the subcontracting clause, so that the Township could begin negotiations with another department in an attempt for Regionalization. He concluded that the Union has refused, despite financial offers to the Police officers, to allow the Board to negotiate for Police protection. He said that the Township was being "held hostage" and that if the Township had to rely on State Police protection and other municipalities to help get it through the end of the Union contract, then they would. He thanked the City and other local municipalities for assisting North Franklin since the disbandment.

**\*\*MOTION to authorize the Solicitor and Labor Relations Attorney to make another attempt to meet with the Union in an attempt to negotiate for the Township to subcontract Police protection for the North Franklin Township residents was made by Mr. Sabot; seconded by Passalacqua. Unanimously carried.**

6. **Chestnut Street Flooding Update**– Mr. Junko advised that the Township received a letter from the Rite Aid attorney stating that his client is willing to work with the Township and Gutman Oil if the Township assumes total responsibility for the replacement of the line. He added that it was not the Township’s responsibility and taking over the lines could prove costly in the future. The Attorney for Rite Aid threatened to take the Township to court if it was not resolved. Solicitor Gary Sweat explained that the Township has been a facilitator to get all the involved parties to discuss the situation. He advised that most of the businesses involved are cooperating in getting the problem resolved except for Rite Aid. Mr. Sweat advised that the Township has no exposure or liability for the problem based on our Engineer’s professional opinion and he advised the Township not to assume the legal obligation of ownership or maintenance of the pipe. **Heather Glaser** asked what Rite Aid would be suing for and she noted that the property was posted for sale. Mr. Sabot advised that Rite Aid knew the pipe was there when they built the building and they are asking North Franklin to reroute the pipe. He said Rite Aid is not being reasonable.

**Art Batson** asked if the new Burger King has been advised of the situation. Mr. Junko advised that it is an open stream that runs down behind McDonald’s and Taco Bell and then is piped the rest of the way.

7. **Sprague Petroleum Bulk Plant Conditional Use Hearing Update**

Mr. Junko advised that the Conditional Use was approved for the Sprague Petroleum Bulk plant. Mr. Sweat said the next step would be site plans and building plans which would be reviewed by the Planning Commission and our Building Code official. Harold Ivery explained that it will consist of tanks to store diesel fuel. Mr. Junko said that they would be safe.

8. **North Franklin Township Great American Clean-up Day** – Mr. Junko advised that the Township Clean up day is scheduled for Saturday, May 4<sup>th</sup> from 10 am – 2 pm and that he hopes to get a lot of participation from volunteers.

## **NEW BUSINESS**

1. **Kennywood Park Tickets**

**\*\*MOTION to purchase 300 tickets at \$25 each to sell to the North Franklin Township residents for \$20 each was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**

2. **\*\*MOTION to approve the sale of a 2007 Crown Victoria Police Interceptor to the winning bidder on Municbid for the amount of \$1,200.00 was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.**

### **FIRE CHIEF'S REPORT**

Chief Bane reported that for March 2019 the Fire Department had 33 calls including two (2) building fires, two (2) standbys, one (1) smoke investigation, nine (9) medical assists, six (6) motor vehicle accidents, one (1) carbon dioxide incident, one (1) flood assessment, four (4) public service calls, one (1) dispatched and canceled in route, one (1) false alarm and three (3) smoke detector activations with no fire, and (2) special incidents. He stated that for the year to date they had 110 calls. They averaged 5 persons per call and the average response time from dispatch to arrival on scene was 6 minutes and 49 seconds. Mr. Sabot advised that the Township made a first quarter donation payment of \$10,000.00 to the NFT Volunteer Fire Company.

### **CODE ENFORCEMENT OFFICER'S REPORT**

Jarod D'Amico stated that the grass season was around the corner. He advised that the Grass Ordinance requires that residents' grass be cut once a month at 4" or below. He stated that there were two citations pending, one for a property on Cumberland Avenue that has a lot of building materials strewn throughout. The Magistrate's office is giving them some time to clean it up and that he was asking for a guilty verdict at this point. Burke's Towing, located at 5 Baltimore Avenue, received citations two months ago. Mr. D'Amico advised that Mr. Burke received a continuation from Judge Redlinger's office, but the Township did not so he showed up at court. He asked for a change of venue to David Mark's Office and the property is being cleaned up pretty quickly. The violations included cars outside of the fence and there was not a 25' clearway for First Responders. He added that a house on Altamont also has a pile up of building materials and has been cited through the Magistrate's office.

### **SOLICITOR'S REPORT**

Solicitor Gary Sweat asked if the Hydro-Edge trucks were still being parked off of Park Avenue near Scotty's. Mr. Junko said there were cars parked there currently. Mr. Sweat said Range Resources did not need to use the property anymore. Mr. Sweat said whoever is parking there needs to either remove the vehicles or enter into a lease agreement like Range Resources has done in the past. Mr. Sweat advised that he thought Hydro-Edge worked with Range Resources and that he would ask Range Resources about it.

Mr. Sweat advised the Board of Supervisors that the Truck Scale Trailer and equipment was part of a Multi-Municipality Local Share Grant and that any monies obtained through its sale would have to be returned to the LSA. He was waiting to hear back from the other Municipalities as to where they wanted the trailer and scales moved to and whether North Franklin Township could be reimbursed for carrying the insurance coverage since its purchase. Mr. Sabot added that the trailer is titled to North Franklin. Mr. Sweat said that once the Gas Well traffic increases again, there could be some income to be made for the Township if we use the scales in the future. Mr. Sweat advised he is in discussions with the other Township solicitors about the trailer and scales. Mr. Sweat advised the Board of Supervisors that they must be very cautious about litigation. He said they have "lived" in the courts the last two years through arbitration and federal law suits and as a result of the claims previously filed, the Township now has a \$25,000 deductible per occurrence. He encouraged the Board to move forward by looking at a long-range plan for economic development and ways to improve the quality of life for residents. He thought that CNX could be a "big player" and that the Supervisors should start meeting with them, as well as the Redevelopment Authority, to discuss sewer lines along Route 18. He advised that South

Franklin had an interest in sewer lines as well. He said there was more development planned for the Washington County Airport. He said there was a moratorium on sewer taps in North Franklin Township because of the defects in the existing pump station on Franklin Farms Road. He stated that five years ago it was estimated that it would cost \$750,000 to upgrade the pump system but that it wouldn't do anything to help the corroding pipes along Franklin Farms. Mr. Sweat said he would be willing to "quarterback" getting key players involved, including private developers, the Redevelopment Authority, CNX and maybe some grant money to totally change the landscape in North Franklin Township.

Mr. Sweat also advised that he would try to raise the Township's share of the Kennywood money (\$1,500) by talking to Range Resources, CNX and a couple other corporations.

#### **SUPERVISOR JUNKO'S REPORT**

None

#### **SUPERVISOR SABOT'S REPORT**

Mr. Sabot advised that there is a continuation of litigation in May regarding the Arbitration hearing involving former Sergeant Cavanaugh's suspension.

#### **SUPERVISOR PASSALACQUA'S REPORT**

None

#### **PUBLIC COMMENT NON-AGENDA ITEMS**


1. Art Batson of 1612 Edwards Drive stated that PennDot has begun work on replacing the bridge on Ridgewood and they are doing gas work on Vankirk. He said he saw large triaxles hauling stone where Louis Keith is located. He asked the Supervisors if the roads were bonded. Mr. Sweat advised that if they use North Franklin Townships roads they must be bonded. Mr. Sabot advised that Mr. Keith was supposed to meet with Township Engineer, Rich Rush, this Spring, in regards to the Sycamore Reserve Plan and bringing those roads up to Township specifications.
2. Frances Eates of 236 Hazlewood Drive asked if there was any compensation given to the City of Washington Police when we utilize their department on a call? Mr. Junko replied "no". Mrs. Eates added that if the Township is not compensating them for answering Police calls then we shouldn't ask them to help cover the insurance on the truck scales. Mr. Junko said that was a good point.
3. Gus Sexauer of 1400 South Main Street advised that he has an ongoing issue of litter on the other side of the street from properties on Greenhill Drive across from of his house. Mr. D'Amico from Harshman Group added that he sent out letters to the homeowners. Mr. Sexauer told the Supervisors that beer cans, litter and 20" logs left over from Penn Dot cutting after the high winds in March, are visible all along the road. He asked, "how long he had to wait before a summons was issued"? Mr. D'Amico responded that the notice of violations was already sent and that the homeowners had (thirty) 30 days to respond. He said if they don't respond, a citation will be filed and it takes 30-45 days to get before a Magistrate for a hearing. Mr. Sexauer also commented on an area of South Main Street


below his house where he saw a dead rat. In addition, he said property owners were bringing debris from another area and dumping it on their property. Mr. D'Amico advised Mr. Sexauer to fill out a Code Enforcement Complaint form and that they would address it.

**ADJOURNMENT**

**\*\*MOTION to adjourn and enter into executive session to discuss personnel matters was made by Mr. Sabot; seconded by Mr. Passalacqua.. Unanimously carried.**

**Respectfully submitted,**

  
**Ronald Junko, Chairman**

  
**Jacqueline M. Kotchman, Secretary/Treasurer**