

**NORTH FRANKLIN TOWNSHIP
MEETING MINUTES**

August 13, 2019

5:00 pm

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

PLEDGE OF ALLEGIANCE

OPENING PRAYER – by Pastor Carl Sprowls

ADD ITEMS TO THE AGENDA - None

PUBLIC COMMENT AGENDA ITEMS – None

APPROVAL OF MINUTES

****MOTION to approve the minutes of the July 9, 2019 meeting**, was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

TREASURER'S REPORT

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

BILL APPROVAL AND CHECK SIGNING

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

BUILDING PERMITS – Erin Dinch read the July report which included two (2) building permits totaling \$180.00

ORDINANCE ADOPTION No. 3 of 2019

****MOTION to adopt Ordinance No. 3 of 2019** Establishing a Volunteer Service Credit Program to Implement Act 172 of 2016, Enacting Tax Credits for Municipal Volunteers of Fire Companies as advertised to include social members who fundraise was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.

OLD BUSINESS

1. **Public Works/Road Crew Position Update-** Secretary/Treasurer, Jackie Kotchman, advised that the Township received 17 applications for the position and when Mr. Junko returns the Supervisors will review them and start the interview process for selected applicants.

- 2. West Chestnut Street Update-** Mr. Sabot advised that the flooding on West Chestnut Street began in 2017. He said that the issues causing the flooding are on private property. He said a line runs up through and past the Ramada Inn and comes down possibly under Bob Evans building. He said it is believed to be blocked under the Rite Aid property. He explained that the Marathon Company and Bob Evans wants to fix it. The Township is trying to get Rite Aid representatives to do that. He said there seems to be some progress towards a solution. He added that he wanted to let the residents of the Township know that they have been fighting this battle for a year and a half. Mr. Sabot also advised that the Supervisors do not want to put the Township in a situation where they are taking on an incredible amount of debt on private property. Solicitor Sweat added that the problem has been that the Rite Aid property owners will only let the other business owners do the repairs under the condition that the Township take over the stormwater line and system. Mr. Sweat advised that the Township Engineer strongly advised the Township not to take over the lines because of the liability exposure to the Township. He hopes that a temporary easement would permit Gutman Oil and Bob Evans to go onto the Rite Aid property and replace the pipe because that's where the blockage is that is causing the flooding. He also acknowledged that West Chestnut Street is a PennDOT State road. He said the role of the Township has been to be the mediator to get everyone together and work something out.
- 3. Savvy Citizen notification system update-**Mr. Sabot advised that the house explosion on Park Lane is exactly why we need a notification system. He encouraged everyone in the audience to sign-up for Savvy Citizen so that they can get emergency notifications as well as other Township information. Erin Dinch, Director of Planning & Zoning, explained that if you don't have a Smart phone, you can sign up for email as well. She advised that on the day of the explosion she was getting information from public safety and she was updating the notices on Savvy Citizen. She said if more people signed up, there would be less speculation and more factual information during emergencies.
- 4. Kennywood Ticket Update-** Secretary/Treasurer Jackie Kotchman advised that to date the Township has sold 483 tickets at a cost to the Township of \$2,415.00. Solicitor Sweat advised that he had secured \$500.00 from an anonymous donor towards the Townships cost of the Kennywood Tickets.
- 5. Holiday Hills Paving-**Mr. Sabot advised that the Holiday Hills Paving Project was put on hold last year due to the lack of Township Funds. He said it was put on hold again this year because Columbia Gas is not finished with their line project.
- 6. 2019 Street Sign Replacement Project Update-** Mr. Sabot advised that the Township has been installing new street signs in phases. He said the Lincoln Hill section of the Township is completely done. Todd Lanch, Road Crew Maintenance, advised that the Township was replacing 140 old stone markers with new street signs. He said some of the signs could be relocated to coincide with stop signs and that they were trimming back bushes and trees so they could be seen. He said Woodridge Drive was also completed and

the Gabby Plan would be next. He said he hopes to have them done by the end of September.

NEW BUSINESS

1. ****MOTION to pay the 3rd and 4th quarter Township donation to the NFT Volunteer Fire Company in advance along with an extra \$5000.00 for a total of \$25,000.00 from the Act 13 Impact Fee Fund to help offset lost fundraising efforts due to injuries to Company members as a result of the house explosion was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**
2. ****MOTION to donate \$6720.00 from the Act 13 Impact Fee Fund to the low bidder for the resurfacing of the Lincoln Hill Playground basketball court was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**

Mr. Sabot recognized James "Tanko" Ward for his volunteer work maintaining the Lincoln Hill Playground for many years. Mr. Sabot also recognized the NFT Volunteer Fire Company for their continued service to the Township.

3. ****MOTION to obtain bids to tar and chip East Canyon Drive was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**
4. ****MOTION to pay \$1150.00 to the "U" Company to repair the damaged guardrail on Ridgewood Drive was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**

Mr. Passalacqua advised that former Supervisor, Martha Ward, might know who was responsible for the damage. Solicitor Sweat advised to get the work done, take pictures and to get the name and address of the responsible party.

5. ****MOTION to approve a holding tank agreement between North Franklin Township and Terry and Tammy McCartney of 860 Scenic Drive was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**

Solicitor Sweat advised that the septic system at 860 Scenic Drive has malfunctioned and has been deemed irreparable. Washington Sewage Enforcement representing the DEP (Department of Environmental Protection) has recommended that the owners install a holding tank. He acknowledged that the Township Holding Tank Ordinance requires an annual permit. He said quarterly pumping receipts and a \$1000.00-escrow and \$250.00 annual permit fee is required.

FIRE CHIEF'S REPORT

Chief Bane reported that for July 2019 the Fire Department had 30 calls including one (1) tractor trailer fire, one (1) cooking fire, eleven (11) medical assists, two (2) motor vehicle accidents, one (1) brush fire, one (1) gas leak, three (3) public service, eight (8) false alarms, one (1) flood assessment and two (2) authorized controlled burnings He stated that for the year to date they had 239 calls. They averaged five (5) persons per call and the average response time from dispatch to arrival on scene was 8 minutes.

CODE ENFORCEMENT OFFICER'S REPORT

Matt Malik of Harshman Group reported that there were fifteen (15) claims investigated. Four (4) trash and junk, eight (8) high grass, one (1) vehicle and two (2) other.

SOLICITOR'S REPORT

Solicitor Gary Sweat advised that there has been some confusion between the County Tax Assessment office and the taxing authorities concerning the buildings and properties that came off of the LERTA Program. He said the properties were never properly assessed so there are taxes remaining to be collected. He added that there should be some additional monies coming to the Township and Michael Cruny was working with Trinity School District and the Recreation Authority to straighten the assessments out. He explained that the way LERTA worked is that the lot itself was always subject to tax by all taxing authorities, but the building by itself was abated from tax and the Recreation & Business Improvement Authority under the Revenue Allocation Program collected the assessment. He said the assessment could only be collected for 10 years and after that the buildings become subject to normal tax. He advised that the mistake occurred because there were always two tax bills sent out for the Township, the School District and the County and once they came off the LERTA they only got tax bills for the land. He said they were working on getting it resolved.

SUPERVISOR JUNKO'S REPORT

Mr. Junko was not present.

SUPERVISOR PASSALACQUA'S REPORT

None

PUBLIC COMMENT NON-AGENDA ITEMS (Excluding Columbia Gas)

None

SUPERVISOR SABOT'S REPORT

Mr. Sabot advised the public that Columbia Gas would give a complete report after his opening statement. Mr. Sabot explained that on July 31, the unthinkable occurred. The result of the gas explosion was one house destroyed and dozens of homes damaged. He said miraculously, no one was killed and although a few of our volunteer firefighters were injured, none of the injuries were life threatening. He said that in the early hours of the accident, there was a lot of confusion, concern, shock and anger. He explained that on August 1st, the Board of Supervisors issued a cease and desist order on Columbia Gas which is currently in effect. However, they did allow Columbia Gas to run a test on the new operating line as requested and required by the Public

Utility Commission (PUC). He said by Second Class Township Code, the Supervisors are responsible for the safety and well-being of the residents and that they were outraged over the explosion. He explained that for the past two years communications with Columbia Gas have been poor. He said a major complaint was that newly paved Township Roads were cut and paving projects were put on hold as Columbia Gas moved all over the Township.

After the accident, the direction from the Board of Supervisors to Columbia Gas was to prepare plans and then address the residents and the Board and restore confidence. He said Columbia Gas was asked to answer the following questions at this meeting:

- 1) How did the accident occur?
- 2) What safeguards are they implementing to make sure it never happens again?

In addition, Mr. Sabot said the Supervisors wanted Columbia Gas to immediately clean up the neighborhoods in the Nokomis Park area. The Supervisors also wanted Columbia Gas to make residents whole by being responsive, fair, and quickly assessing damages and repairing them. He said it was especially important that they help the Volunteer Fire Company. The Supervisors also demanded that Columbia Gas improve their communication with the Township.

COLUMBIA GAS PRESENTATION

Mike Huwar, President and Chief Operating Officer of Columbia Gas advised the audience that the Township residents well-being was important to them. He introduced Bob Kitchell, Vice President of Projects and Construction Services. He said there were a variety of Columbia Gas team members here tonight to assist residents with different issues related to the incident. He said that the Columbia Gas family's thoughts were with all those impacted by the incident. He also said that customers deserve safe and reliable service and they failed to deliver on that mission. He apologized and said they need to do better. He went on to give an overview of what happened.

He said on July 31st at 4:00 pm, Columbia Gas received reports that there was an odor of gas and an explosion at 100 Park Lane. He said employees were already in the neighborhood doing work to modernize their system. He explained that they responded immediately and began working with emergency responders and site investigators. Service was shut down to 60 customers as a precaution. The Columbia Gas crews then surveyed the gas lines. He said once they were certain the incident was confined to 100 Park Lane; they began to restore service. He advised at that time they suspended non-emergency work in the Township. He said they also suspended pressure upgrade work in North Franklin Township and all 26 counties in Pennsylvania.

On August 1st, it was determined that the company did not install a pressure regulator at the Braden home at 100 Park Lane prior to activating the system. He explained that the pressure regulators were necessary to regulate the pressure of the gas entering the home because the new system was going to be operating at a higher pressure. He said that because the pressure regulator was not installed, gas entered the home and led to the explosion. He said Columbia Gas takes full responsibility for the incident. He said Columbia Gas is cooperating fully with the PUC with their investigation of the incident and consulting closely with the Township Supervisors and their staff. He advised that on Friday, August 9th, with the approval of the PUC and the Township Board of Supervisors, they completed the work in the neighborhood near Park Lane

and conducted additional safety checks. He said they have a claims team in place tonight to address damages to residents. He advised that they have cleared all of the debris outside of 100 Park Lane and will continue to canvass the area on a weekly basis.

In addition, he said Columbia Gas continues to work with the Braden family, the first responders injured at the scene and neighbors affected by the incident.

Bob Kitchell, Vice President of Construction Services, advised that since 2007, Columbia Gas of Pennsylvania has been upgrading and enhancing and modernizing their operating systems. He said that they have replaced almost 9 miles of pipe in North Franklin Township since 2007. He explained that the project they are working on is the Dewey Avenue Modernization Project. He said they started the project in February 2019 in an effort to upgrade service and reliability to approximately 250 customers in the Township. He explained that there are 18 streets involved in the project. He said they were about 60% done with the main line and 34% of the service lines completed. He said the remaining 40% of the project does not include any pressure upgrade work but will involve replacing existing lines with brand new plastic gas mains. He explained that once the main line is installed, the crew will go house to house to test and replace service lines which would involve a temporary service disruption. Crews would then disconnect the low-pressure line and connect the homes to the medium pressure line. He said this would include relights to appliances and a safety check of the residence.

He said Columbia Gas also is aware and recognizes the frustrations and concerns about the unfinished road and yard repair on the streets where work was done this Spring. He explained that they were finalizing plans to expedite the restoration work in those areas. He said they would share the proposal plan with the Township Supervisors and continue to work with them regarding this project and that the paving and restoration plan could begin as early as August 19th. He said that there would be no other modernization work scheduled in the Township in 2019. He advised that Columbia Gas pledges to work closely with the Supervisors, the Township staff and resident customers on future proposed projects and to communicate and coordinate their work to reduce the aggravation and avoid damaging any new roads that have been installed. He said if there are ways they can partner with the Township on paving and restoration plans to expedite restoration, while reducing the impact on local traffic, they would welcome the opportunity to discuss it.

He said there were Columbia Gas representatives in the back of the room to answer specific questions about the Dewey Avenue Project. He added that if there were any questions they could not answer tonight, they would get back with a response as quickly as possible.

Mike Huwar advised again that after the incident, Columbia Gas suspended pressure upgrade work in North Franklin Township and across all of Pennsylvania. He said they would not resume that work until they enhance their customer identification and field survey process to ensure that all homes that need pressure regulators would be correctly identified. He added that it was their responsibility to fully vet those changes with the PUC because they oversee them. He advised that Columbia Gas also suspended all non-emergency work in the Township and pledged to work with the Township Supervisors and their staff to review future plans related to the Dewey Avenue Modernization Project. He said they continue to work to get to the root cause of this

incident and any additional process changes or enhancements to safety will be vetted through the PUC. He thanked the local Emergency Management Officials, Township Officials and staff and the residents of the community for their patience and understanding. He said the safe and reliable delivery of natural gas is their top priority and they are committed to getting this right. He opened the floor up to questions.

PUBLIC QUESTIONS/COMMENT ON COLUMBIA GAS PRESENTATION

1. Jessica Allison representing Debra Braden and her family announced that she has set up a Spaghetti Fundraiser for Saturday, August 17th from 12-6 pm at the American Legion Post 175 for \$10 a ticket. She said it would include a Chinese Auction and a 50/50 raffle. She encouraged everyone to attend because Debra has lost everything.
2. Brian Wylie of 262 ½ Park Avenue advised that his house abuts the Braden property. He said his concern is that ¾ of his yard is still taped off and he wondered when that would be lifted and the clean-up of his property would take place. He said he has two dogs and their lives and his family's lives have been disrupted. He said he was concerned that his dogs would get roofing nails in their paws.

Mike Huwar, President of Columbia Gas, apologized for the disruption and said the Braden property is still under jurisdiction of the PUC. He said there are still items on the property that need to be retrieved. He said he would ask the PUC when they think the clean up would be taking place around the Wylie property. He also said that Park Lane, although not a Township Road, would be repaired after all the clean-up traffic was finished.

3. George Dawes of 260 Winona Avenue voiced concern that when Columbia Gas started this project, no one was aware of what they were doing. He said most people thought they were just upgrading lines and no one knew about the high pressure. He asked what the need for the high pressure was for as he has lived here for 40 years and he has never had problems with gas pressure?

Mike Huwar explained that the modernization work has been taking place across the State for the past decade. He said it involves introducing medium pressure to residents for enhanced delivery. He said lower pressure gas systems are susceptible to water infiltration which can create problems for customers. He said that was one of the primary drivers of their focus as well as moving meters outside, providing shut-offs outside, upgrading to plastic pipes and where appropriate introduce medium pressure.

George Dawes advised that prior to Columbia Gas doing their work, he had a shut-off valve at the curb. He asked if it was gone because he doesn't see it anymore?

Mike Huwar said he would check his property for him. He added that when they introduce medium pressure, in many cases, they will look at the homeowner's installation specifically and install an excess flow valve in case the line needed to be cut or enhanced

pressure would move through it. He said the valve would automatically shut off and would not have to be manually shut off.

George Dawes advised the Supervisors that when heavy construction is being done in the neighborhoods, there cannot be on street parking. He said bulldozers and other heavy equipment cannot get through because of the cars parked on the street.

Mr. Sabot advised that the Township was probably going to pass an Ordinance requiring people with driveways to park in them 12 hours before, after and during snowstorms.

4. Amberia of 268 Park Avenue explained that her and her 7-year-old daughter have been left homeless because the house that she rented has been condemned after the gas explosion. She said it has been difficult to find another place to live in Trinity District that she can afford as a single mother. She said as a result of the explosion she has lost her daughters trust and it has caused a lot of emotional stress. She added that she is driving 38 miles a day to get to her job, a 48-minute commute, which is creating wear and tear on her vehicle, an increase in gas expenditures, and without a house has been eating her meals out. She said Columbia Gas has not had good communication with her and the little bit of communication she has had has been condescending. She explained that when she asked to speak to supervisors at Columbia Gas, she was told that "what she got, is what she got". She asked Columbia Gas what they were going to do to help her?

Mike Huwar said that there were claims representatives and customer service people here at the meeting that would put together a plan to help her. He told her they would work through it tonight.

5. Earl Sanbucco spoke on behalf of his in-laws Eleanor and Gaylord Rea of 266 Park Avenue. He urged Columbia Gas to be diligent about clean-up because there was still a lot of glass and debris that could injure children and pets in the neighborhood. He asked if homeowners could have a copy of the report done by NiSource, Inc. because there were questions as to whether to use their home owners insurance or go through Columbia Gas. He said the full report would help the homeowners make the right decisions to make them whole. He also asked that if the homeowners had to be relocated during repairs, would it be covered?

Mike Huwar asked Kabir, a Columbia Gas representative, to address Earl's questions. Kabir said that homeowners could get a copy of the report and the process is to go through your homeowner's insurance first and have an assessment done and then Columbia Gas would do their own assessment. He felt confident that between the two, residents should be made whole. He also said there is usually coverage called "additional living expenses" in insurance policies and that Columbia Gas would work alongside the insurance companies to address that.

6. Brook Giecek of 24 McKnight Avenue asked how the Braden house was missed, why a regulator was not installed, and whose responsibility was it to look at the blueprints?

Mike Huwar advised that the process that they used included a review of company records, aerial photos and an assessment on the ground. He said that they have been doing this work for over a decade safely. He said in this case the Braden home at 100 Park Lane was outside of the geographic scope of the records that had been reviewed. He said they failed. He added that they failed to catch it and failed to install a regulator and that they were responsible.

Ms. Giecek said that the house was isolated and “we got lucky”. She said if the house wasn’t isolated then more houses and even lives would have been lost. She said her husband was one of the firefighters who responded that day and she “is not whole”. She added that it wasn’t fair that her family members had to respond to an emergency caused by negligence and she might have to explain to her children one day that their Dad might not come home. She said it wasn’t acceptable and the house shouldn’t have been missed.

Mike Huwar agreed that it was not acceptable. He said Columbia Gas is involved in an exhaustive search and review of a way to do this work more safely without incident. He said the PUC will not allow them to do this type of work in the future unless they can do it safely.

Mr. Sabot asked what is going to prevent a house from being missed again?

Mike Huwar explained that the work they have left to do on the Dewey Avenue Project would include medium pressure that already exists, going house to house, replacing service lines, reconnecting them to medium pressure and providing safety checks. He said if a house was missed it would be out of service and there would not be elevated pressure to the residence.

Mr. Sabot asked if the Nokomis Park Project differs from the Trinity Drive and Holidays Hills Project?

Mike Huwar responded yes because there is no additional upgrade to pressure of existing facilities.

Mr. Sabot asked if it was going to be a disconnect and then reconnect in the Dewey Avenue Project?

Mike Huwar responded that it would involve a disconnect, reconnect to a new system, regulation installed, relighting of the customers and safety checks.

Mr. Sabot asked if Columbia Gas is done putting high pressure lines in the Township?

Mike Huwar responded that the work in Nokomis Park was a low-pressure system that was being upgraded to medium pressure. He said that there would be no more upgrade work in this project.

7. Diane Hoyt of 262 Park Avenue said Columbia Gas doesn't miss sending out bills so she's not real sure how they can't take the map, pull the bills, pull the addresses that have service, and figure out who's getting a bill and where they live. She said she realizes going forward, there will be safety precautions like going door to door and it will change a multitude of problems they have and even though it might not ever happen again, they still never missed sending a bill.

Mr. Sabot asked Fire Chief Dave Bane and Road Crew Representative Todd Lanch if they were satisfied with the Columbia Gas responses so far and they both replied "yes".

Mr. Sabot addressed Columbia Gas representatives explaining that the Township was tired of the tearing up of streets in multiple neighborhoods, not finishing projects in a timely fashion and not leaving the properties as they were found. He said the approach of opening one street here and one street there and leaving them open for one or two months is going to stop. He said if Columbia Gas is going to continue to complete their projects this year (12 remaining streets), the Township is going to require them to inform the Supervisors on a week to week basis; where they are working, what they are doing, and require them to stay in one area at a time.

Mike Huwar pledged to the Supervisors and residents that Columbia Gas would not only give them weekly updates but their representatives would sit down with the Supervisors each week to explain exactly what they plan to do, what they have done already that week and what they plan to do the following week. He said they would also be communicating with the customers/residents about restoration work on their properties. He said "you will see a major difference in how Columbia Gas operates in North Franklin Township; I will give you my word on that". He also stated that they would meet with the Township Supervisors tomorrow and that his staff was here tonight to answer any residential questions and that residents would be fully informed in advance about what they were going to do and what had already been completed.

****MOTION to lift the Cease and Desist Order on Columbia Gas and require them to report to the Township on a weekly basis, complete all projects for 2019 on the remaining streets by the end of the Fall 2019, and to insure that the residents are made whole by repairing damaged property and roads was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**

Mr. Sabot advised that the Township Supervisors are committed to restoring police service in the Township as soon as possible. He explained that the only people blocking the Township from getting police protection is the former Township police officers.

ADJOURNMENT

****MOTION to enter into executive session to discuss personnel matters was made by Mr. Sabot at 6:38 pm; seconded by Mr. Passalacqua. Unanimously carried.**

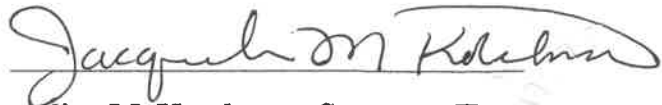
The Supervisor's returned from executive session at 7:30 pm.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bob Sabot", written over a horizontal line.

Bob Sabot, Vice-Chairman

A handwritten signature in black ink, appearing to read "Jacqueline M. Kotchman", written over a horizontal line.

Jacqueline M. Kotchman, Secretary/Treasurer