

**NORTH FRANKLIN TOWNSHIP  
MEETING MINUTES**

**November 12, 2019**

**5:00 pm**

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

**PLEDGE OF ALLEGIANCE**

**OPENING PRAYER** – by Dr. Michael Roach, Trinity Bible Fellowship

**ADD ITEMS TO THE AGENDA**

**\*\*MOTION to add East Canyon Drive and a minor subdivision for Burger King to the agenda** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

**PUBLIC COMMENT AGENDA ITEMS** – None

**APPROVAL OF MINUTES**

**\*\*MOTION to approve the minutes of the October 8, 2019 meeting** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

**\*\*MOTION to approve the minutes of the October 29, 2019 meeting** was made by Mr. Passalacqua; seconded by Mr. Sabot. Mr. Junko abstained as he was not present for that meeting.

**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. Unanimously carried.

**BUILDING PERMITS**

Harold Ivery reported that there were two (2) building permits for October 2019 for \$425.00. Mr. Ivery asked if there would be a refund sent to RAJ Rentals, LLC for 951 Gabby Avenue and also advised the Board that Bellmead would be doing a complete renovation costing \$4,000,000.00.

Mr. Ivery also reported that out near 1600 Park Avenue towards South Franklin there is an issue about the delineation of the line between the C-1 and the R and how far it goes back. He said

there was no way to tell how far back it goes Mr. Sweat said the Township would have to amend their Zoning Map to identify the lines.

**GUESTS - None**

**COLUMBIA GAS UPDATE**

Mr. Junko advised that Columbia Gas had completed everything in Trinity Park and Holiday Hills. Mr. Sabot explained that the Supervisors have been meeting with Columbia Gas every Thursday since the explosion. He advised they were very cooperative and did everything they said they were going to do. He said next year they would be doing the Franklin Farms Project to update lines and regulators. He also advised that Columbia Gas has cleared the Township to pave Greenhill and Webb Drive.

**OLD BUSINESS**

1. **West Chestnut Street Update-** Chairman Ron Junko advised that there was some progress as Bob Evans and Guttman Oil were willing to work with the Township to remedy the issue, however the Rite Aid property owner's legal counsel has proved difficult to deal with. He said the Board needed to decide if they were going to take over the line. Mr. Sabot clarified that if the Township took over the line it would only include 90 feet of the line. He advised that the Board of Supervisors were very concerned about the public safety issue it presents and want to get it resolved. He said they have another closed meeting next Tuesday at 3:30 pm to continue to come to an agreement. Mr. Sweat advised noted that at no time has this issue ever been a public storm water line. He said it is a private line and that the Township was trying to intervene as a mediator. He added that Rite Aid has put conditions on anyone trying to come on that property to attempt to fix the pipe thus elimination the flooding problem. He advised that Rite Aid owners insist the Township take over and inherit the entire project and the Board does not want to do that.
2. **2019 Street Sign Replacement Project Update-** Erin Dinch advised all the extra street signs were completed.

**ORDINANCES**

1. **\*\*MOTION to adopt Ordinance No. 6 of 2019 No-Impact Home Businesses Ordinance** was made by Mr. Passalacqua seconded by Mr. Sabot. Unanimously carried.
2. **\*\*MOTION to adopt Ordinance No. 7 of 2019 Food Truck Ordinance** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.
3. **\*\*MOTION to adopt Ordinance No. 8 of 2019 Non-Tower Wireless Communication Facilities Ordinance** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

4. **\*\*MOTION to adopt Ordinance No. 9 of 2019 Electing to amend the Non-Uniform Pension Plan administered by the Pennsylvania Municipal Retirement System (PMRS) pursuant to Article IV of the Pennsylvania Retirement Law** was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.

## **RESOLUTIONS**

1. **\*\*MOTION to adopt Resolution No. 12 of 2019 amending the Township's Schedule of Fees to include costs for filing Municipal Liens and for the satisfaction of liens filed by or behalf of the Township** was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.

## **NEW BUSINESS**

1. **\*\*MOTION to approve the advertisement of the Proposed 2020 Budget for Public Inspection** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.
2. **\*\*MOTION to approve the Minor Subdivision submitted by Burger King subject to the applicant satisfying the conditions set forth in the Engineers Review letter** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.
3. **\*\*MOTION to approve the proposal for Codification services from General Code in the amount of \$20,630.00 which includes a Legal Review and Analysis** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.
4. **Discussion of Code Enforcement Report – 640 McElree Road**  
Matt Malik of Harshman LLC advised that 640 McElree Road has been abandoned and has multiple complaints from surrounding homeowners. He said it typically has really high grass and junk on the property and they can not locate the owner. He explained that the Township has cut the grass in the past. He said upon inspection of the property last Friday, the house was found to be infested with junk and garbage and the front door could be easily pushed open. The property has back taxes totaling over \$2500.00. Mr. Sweat stated that after two years of delinquent taxes it should go up for sheriff's sale and the Township could bid it. Mr. Sweat asked Erin Dinch to check with the Tax Collector and then call Tax Claims to see if it's on the list.
5. **\*\*MOTION to instruct Sweat Law Offices to draft and advertise an Ordinance repealing Ordinance 9 of 2003 Political Signs and sections of the Zoning Ordinance pertaining to such signs** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

6. **\*\*MOTION to instruct Sweat Law Offices to draft and advertise an Ordinance repealing Ordinance 7 of 1993 Trade Tree Regulations** was made by Mr. Passalacqua; seconded by Mr. Sabot. Unanimously carried.
7. **\*\*MOTION not to abandon East Canyon Drive** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

**FIRE CHIEF'S REPORT** -- Chief Dave Bane was not present.

**CODE ENFORCEMENT OFFICER'S REPORT**

Matt Malik advised that there were 19 total complaints, 5 trash and junk, 5 grass, 2 vehicle, and 7 others.

**SOLICITOR'S REPORT**

Mr. Sweat advised that the Sycamore Reserve dedication was in its final stages. He said they were waiting for the final numbers on the Maintenance Bond that the developer is required to post as part of the transfer of the road to the Township. He explained the bond would be in place for 18 months. Mr. Sweat said he was still trying to get in touch with PAWC to start discussions about the property proposed for a new Township Building. Erin Dinch reported that she had arranged a meeting set for November 18, 2019 with Jake Janteel.

Mr. Sweat also advised that the closing with Community Bank for the \$3,500,000.00 Tax Free Bond Obligation is set for December 4, 2019 allowing the Township to pay off the existing bond and escrow the balance for a new Township Building.

**\*\*MOTION to accept the Arbitrator's Award denying former Police Officer Cavanaugh's Grievance for the 30-day suspension and 6-month probationary period** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

**SUPERVISOR JUNKO'S REPORT**

None

**SUPERVISOR SABOT'S REPORT**

Mr. Sabot reported that Labor Counsel, Phil Binotto advised the Board of Supervisor's via email that the Arbitrator sided with the Township in the Cavanaugh discipline case. Mr. Sweat advised that the decision is public record and the Township could release it. Mr. Sabot said there is still a decision to be made by the Arbitrator to determine vacation and sick pay for the former Police officers for 2019 and whether or not former Police Chief Ron Fox is eligible for early retirement.

## **SUPERVISOR PASSALACQUA'S REPORT**

None

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

1. Heather Glasser of Greenhill Drive asked the Board of Supervisor's if there was a settlement regarding the over payment to former Police Officer Dean Urbanic. Mr. Junko stated that Urbanic paid back \$5,000.00 with a full release.

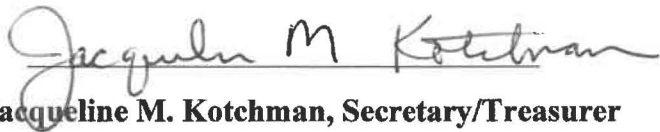
## **ADJOURNMENT**

**\*\*MOTION to enter into executive session to discuss legal matters and to adjourn** was made by Mr. Passalacqua at 5:45 pm; seconded by Mr. Sabot. Unanimously carried.

**Respectfully submitted,**



**Ron Junko, Vice-Chairman**



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