

**NORTH FRANKLIN TOWNSHIP  
MEETING MINUTES**

**July 14, 2020**

**5:30 pm**

**CALL TO ORDER** - Present were Mr. Sabot, Mr. Passalacqua, Mr. Quinn, Solicitor Gary Sweat, Secretary/Treasurer Jackie Kotchman and Erin Dinch, Director of Planning & Development. The Meeting was held via teleconference with public attendance.

**PLEDGE OF ALLEGIANCE**

**OPENING PRAYER** – by Pastor Carl Sprowls

**ADD ITEMS TO THE AGENDA**

**PUBLIC COMMENT AGENDA ITEMS**

1. Sandy Sabot of 35 Milbeck Drive asked for clarification of the proposed Chicken Ordinance in regard to the Zoning Districts. Erin Dinch advised that the Zoning Map is online and you would have to read the Zoning Code to establish what is allowed in each Zoning District. Solicitor Sweat advised that the different zones are basically divided by density as well as Residential or Commercial.
2. Christine Shaffer of 40 Willowbrook Lane expressed concern about the different types of neighborhoods in the Township in regard to proximity of those owning chickens. Her concern was that not all neighborhoods were conducive to raising chickens. Solicitor Sweat advised that it was important to have the Ordinance so that there are rules that people could follow versus having no regulation at all. He explained that Code Enforcement would help regulate the Ordinance.
3. Richard Haskey of 60 Milbeck Drive asked how far the chicken coop had to be from the property line. Supervisor Quinn responded that the Ordinance requires 25 feet setback from the property line and the chickens have to be penned.
4. Gary Young of 1294 Overlook Drive asked what is “temporary” relating to New Business No. 6 ‘allowing a resident whose house burned to reside temporarily in an RV parked on her property’. Mr. Sabot said the resident had to meet all requirements of the Agreement proposed by the Township through October 31, 2020. Solicitor Sweat also said if the house was not ready at that time, they could apply for an extension.
5. Edward Hartner of 122 Altamont Street asked a question in regard to New Business No. 8, Fulton Street Update. He asked if a no parking sign could be placed at the corner of Fulton Street and Hancock Street. He advised that Boundary Alley leads to his apartment and people block it when parking their vehicles. Mr. Sabot advised Erin Dinch to have the Road Department place a “No Parking” sign at Boundary Alley.

## APPROVAL OF MINUTES

**\*\*MOTION to approve the minutes of the June 9, 2020 meeting** was made by Mr. Passalacqua; seconded by Mr. Quinn. Unanimously carried.

## TREASURER'S REPORT

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

GUESTS - None

## BILL APPROVAL AND CHECK SIGNING

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

## BUILDING PERMITS

Harold Ivery reported that there were four (4) building permits totaling \$2699.00. He reported that a "dangerous structure" violation was issued on July 3<sup>rd</sup> to Fulton Street house that burned. He said the owners may be willing to sign the house over to the Township which would allow the Township to demolish the house without advertising it. He also said he would keep tabs on the property on Overlook Drive allowing the temporary RV.

## OLD BUSINESS

1. **West Chestnut Street Update**- Mr. Sweat advised that Judge Lucas issued the injunction requested by Guttman Oil requiring the Rite Aid property owners to correct the water run-off. He reported that they went back into court for some engineering clarification and they are now proposing putting in a whole new line. In addition, he said Rite Aid has added others to their lawsuit claiming they are dumping their stormwater into that pipe. Mr. Sabot reiterated that North Franklin has not been named in the lawsuit. Fire Chief Dave Bane reported that the North Franklin Volunteer Fire Company was out there for 2 ½ hours the last time it flooded. He said one of their vehicles got stuck and there was petroleum in the water and on the road. Penn Dot threw gravel on the road and the DEP was notified as some of the petroleum leaked into the creek.
2. **McElree Road Update** – Mr. Sabot reported that the Road Crew and Mr. Johnson have done extensive repairs on McElree Road in an effort to prepare it for base repair bidding. The plan is to pave McElree Road in 2021 instead of the original Tar & Chip option.

3. **McElree Road Base Repair Bid**

**\*\*MOTION to award the McElree Road base repair and alternate bids on East Canyon Drive and the approaches to Mall Bridge to A. Folino Construction, Inc. in the amount of \$41,655.00 was made by Mr. Sabot; seconded by Mr. Quinn. Unanimously carried.**

Mr. Sweat advised that A. Folino Construction, Inc. was the second lowest bidder and that the law permits awarding to the lowest responsible bidder based on past experiences with that bidder. There were some questions on the integrity of the construction of a past project and a significant time delay that was not justified by the highest bidder.

4. **Demolition Update** – Matt Malik of Harshman Group advised that they were still working with contractors and they were waiting to see if the demos would be under the threshold to do telephone bids. He said they would report on it in the August meeting.

5. **Hire part-time Road Crew**

**\*\*MOTION to hire Asa Charnik as a Part-Time Public Works/Road Crew worker at \$15.00 hour was made by Mr. Quinn; seconded by Mr. Passalacqua. Unanimously carried.**

6. **McGowan Consolidation Plan**

**\*\*MOTION to approve the McGowan Consolidation Plan was made by Mr. Passalacqua; seconded by Mr. Quinn. Unanimously carried.**

7. **Recreation and Business Improvement Authority Update** – Mr. Sweat advised that the Authority was adopting Resolutions to begin the dissolution and file the appropriate paperwork in their August meeting.

8. **Mall Pedestrian Bridge Discussion** – Matt Malik from Harshman Group said the Property Maintenance Ordinance could be used to force a clean-up of the bridge, but it is a loose interpretation. Solicitor Sweat advised that if we site them and if they ignore it, the Township could do the clean-up and repairs, then lien the property. He also advised researching if there was grant money available and then negotiating for an annexation of the portion that needs fixed. The Township could then condemn it by eminent domain or work out a deed for the Township to take it over. Erin Dinch advised that a permit from Penn Dot would be required to make it a Pedestrian Walkway and that because there is no sidewalk on Franklin Farms Road it would be difficult to get them to allow it. Mr. Sabot advised Code Enforcement to site them immediately.

## ORDINANCES

**\*\*MOTION to adopt Ordinance No. 5 of 2020 – Amending the Township Zoning Ordinance to establish the regulation of non-commercial chickens and ducks within the R-1, R-2, R-3, C-1, C-3, PED & PRD Zoning Districts and to provide for penalties for the violation thereof** was made by Mr. Passalacqua; seconded by Mr. Quinn. Mr. Sabot voted no. Motion carried.

Mr. Sweat advised that a Public Hearing was held today at 5:00 pm regarding the Poultry Ordinance because it requires a modification of Land Use. He added that the Planning Commission reviewed it and approved the consideration of the Ordinance to the Board of Supervisors. The record consists of Exhibit A- letter dated July 11, 2020 from the Washington County Planning Commission confirming “no comment”. Exhibit B- minutes of the North Franklin Township Planning Commission confirming they reviewed the proposed Ordinance and made recommendations for approval. Exhibit C- the advertising notices in the Observer-Reporter June 23 and June 30, 2020. The Ordinance was also reviewed by Phillip Clauer, Assistant Teaching Professor of Poultry Science at Penn State University.

## RESOLUTIONS

### NEW BUSINESS

1. **\*\*MOTION to authorize the Secretary/Treasurer to pay A. Folino Construction, Inc. \$199,557.00 for Application of Payment #2 of the 2020 Road Improvement Project** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.
2. **\*\*MOTION to authorize the Secretary/Treasurer to pay Cleveland Brothers Equipment Company \$107,000.00 for the purchase of a 2020 Caterpillar 914M Wheel Loader which includes trading-in the Township’s 1997 Caterpillar 924F for \$15,000.00** was made by Mr. Passalacqua; seconded by Mr. Quinn. Unanimously carried.
3. **\*\*MOTION to authorize the Secretary/Treasurer to pay D.L. Johnson Contracting \$66,715.00 for In-House Road Improvements** was made by Mr. Passalacqua; seconded by Mr. Quinn. Unanimously carried.
4. **\*\*MOTION to donate \$2000.00 to the Wild Things 2020 Fire Works Display** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.
5. **\*\*MOTION for approval of the Wild Things to play baseball games under a newly formed short-term League as long as all State Covid-19 guidelines are in place and practiced** was made by Mr. Sabot; seconded by Mr. Quinn. Unanimously carried.
6. **\*\*MOTION to enter into an agreement with Alicia Berry of 490 South Palm Street which will set the terms under which she will be allowed to temporarily reside in an RV/camper parked on her property while her fire-damaged house is being repaired** was made by Mr. Passalacqua; seconded by Mr. Quinn. Unanimously carried.

7. **\*\*MOTION to join the Washington County Watershed Alliance and the Chartiers Creek Watershed Association for the total amount of \$100.00 per year was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.**
8. **Fulton Street Update** – Harshman Group will update in August meeting.
9. **Motion to approve the Sycamore Reserve Plan No. 6, 2<sup>nd</sup> Amendment** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

**FIRE CHIEF'S REPORT** – Chief Dave Bane reported that for June 2020 there were four (4) building fires, one (1) other, one (1) cooking fire, one (1) outside fire, six (6) emergency medical calls, two (2) motor vehicle accidents, one (1) each of flammable liquids spill, natural gas leak, electrical wiring, four (4) public service calls, three (3) dispatched and canceled en route, three (3) false alarms, one (1) malfunction alarm and one (1) flood assessment. Total year to date 141 calls, (66 less than this time last year). Average 5 persons per call and average response time is 9 ½ minutes.

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

Matt Malik of Harshman Group reported that there were 26 violations investigated. Trash and junk on property- seven (7), vehicles - three (3), structures - six (6), high-grass - seven (7), other- three (3), and attended three (3) magisterial hearings all with granted extensions.

#### **SOLICITOR'S REPORT**

Mr. Sweat advised the Board that there has been an assessment change to the Advanced Hospital in the amount of a \$9,000,000.00 increase. He explained that the assessed value would increase school, County and Township taxes. He said it is retroactive to January 2020.

**SUPERVISOR SABOT'S REPORT** - Mr. Sabot advised that Erin Dinch was working with an architect for the new Township building. Erin advised that she received the scope of work just prior to tonight's meeting and would look over it tomorrow. Erin will send the scope of work to other architects.

**SUPERVISOR PASSALACQUA'S REPORT** – None

**SUPERVISOR QUINN'S REPORT** – None

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

1. Gary Young 1294 Overlook Drive asked what was being done about the police. Mr. Sabot advised that since disbanding the Township Police Department, he has received very little feedback from Township residents. He said there seemed to be a disconnect between residents and Township Police. He explained that the existing police contract does not allow the Township to subcontract police services until it ends December 31, 2020. After various discussion, Mr. Sabot said he would like to survey Township residents at some point to get some feedback.

**\*\*MOTION to survey the Township residents about police protection options by September 2020** was made by Mr. Sabot; seconded by Mr. Passalacqua. Unanimously carried.

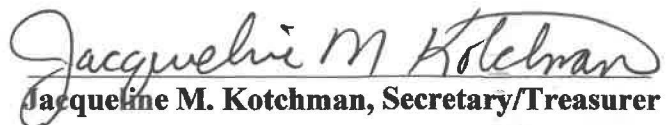
2. Lewis Keith of Keith Homes advised that he was involved with the original allocation of taps in 2003 when North Franklin Township and Canton Township agreed to put in \$600,000 to build an interceptor in Canton Township which would grant 3000 sewer taps of which 1,800 were to go to North Franklin and 1,200 to Canton. He said that when the interceptor was constructed it ended up costing \$800,000 instead of \$600,000. The North Franklin Sewer Authority refused to pay the difference and then it disbanded. Mr. Keith was allocated 100 taps, Metzner received 50 for two hotels, the Wild Things got 50 and Alex Paris got 50-100. Mr. Keith asked where did all the taps go? He said as soon as Alex Paris showed up on the scene the taps disappeared. He said WEWJA stole the taps because the projects additional \$200,000 wasn't paid. Mr. Sabot agreed he didn't understand how taps just disappear. Mr. Quinn advised that there was a personality conflict between a former North Franklin Township Supervisor and a person on the WEWJA board. Mr. Keith recommended that maybe the Township could negotiate with WEWJA to reach a resolution. Mr. Sweat said that they have initiated meetings but were waiting on the completion of the Township's 537 Plan.
3. Richard Haskey of 60 Milbeck Drive expressed his concern about coyotes in the Township. He said it is rampant in North Franklin Township and he fears they are going to attack neighbor's dogs. Mr. Quinn advised that he has already contacted the Game Commission about them. He said the Game Commission has no regulations about feeding wild animals. He said coyotes are listed as a game animal now with no closed season.
4. Edward Hartner of 122 Altamont Street asked if they could put gravel on Boundary Alley. He said he did get a permit to build a house back there. Mr. Sabot said it was private property and the Township has not taken it over. Mr. Sweat advised that if a paper alley was abandoned and never taken over by the Township, each owner owns to the center line of the alley. Mrs. Hartner said that the Township used to put red dog on it. Mr. Sweat advised that if the Township has not taken it over, they should not maintain it. Mr. Sabot said he would send Todd Lanch from the road department to look at it, but if it is not Township property, Township tax dollars cannot be used to maintain it.

### **ADJOURNMENT**

**\*\*MOTION to adjourn the meeting at 7:12 pm** was made by Mr. Sabot; seconded by Mr. Quinn. Unanimously carried.

**Respectfully submitted,**

  
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**Robert Sabot, Chairman**

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