

**BOROUGH OF EDGEWOOD
INDEX TO THE MINUTES OF THE COUNCIL MEETING OF APRIL 20, 2009**

MOTION SUBJECT	MOTION NUMBER	PAGE
Adjournment	12	11
Bills	3	3
Employee Hiring (DPW), Authorization to Advertise Full-Time Hiring	11	10
Employee Termination (DPW), (William Gee), Motion to Authorize	10	10
Hire Summer Employee (Public Works), Motion to Authorize Advertising	7	10
Hire Summer Employee (Public Works), Motion to Authorize Hiring (CHANGED; SEE NEXT MOTION)	6	9, 10
Minutes (April 6, 2009)	2	3
Minutes (March 16, 2009)	1	2, 3
Ordinance 1028 – Handicapped Parking (120 Lincoln)	4	7-9
Property Tax Refunds, Motion to Advertise Payment	8	10
“Shall Ordinance 1028 Pass?”	5	9
Test Pit Work (Allenby Avenue), Motion to Authorize	9	10

**BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
MONDAY, APRIL 20, 2009**

President Patricia Schaefer called the Meeting of the Council of the Borough of Edgewood to order on Monday, April 20, 2009 at 7:34 PM in the Municipal Building.

Borough Manager Warren Cecconi called the roll and the following responded: Mr. Shultz, Mr. Szefi, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer.

Ms. McDonald and Mr. Cook were absent.

Mayor Davin and Borough Solicitor Barry and Junior Councilperson Hazlett were also present.

The Pledge of Allegiance was recited.

ITEMS FROM THE FLOOR

Mr. McArdle, the former Junior Councilperson and another student gave a presentation to Council regarding a quality control project they are doing which involves painting paw prints in twelve (12) different neighborhoods. In Edgewood, the emphasis would be on the areas near the Edgewood Primary School, Koenig Field, C. C. Mellor Library and Community House and areas in Regent Square. The painting of the paws would provide some continuity and promote school spirit.

According to the presenters, the art department created the project. There would be two to three (2-3) prints painted per location and non-slip paint containing sand would be used. The students requested Council's help with proposing this to the Intercouncil group also.

DISCUSSION: Ms. Schaefer explained that Borough Manager Cecconi noted that the sidewalks are in the ownership and maintenance of the business owners and, as well, the approval for the Library and Community House would be out of the Borough's jurisdiction.

Ms. Schaefer stated that local government could show support of the project by writing a letter, but permission to paint the paws would be needed from all the business owners, the School for the Deaf and Edgewood Primary School.

Mr. Hellett asked that non-skid paint be used to paint the paws for safety reasons and Mr. McArdle explained that the paint mixture would include sand for this purpose. Suggestions were then given to the students regarding who they should contact, including the art gallery and the owner of McBroom's.

COMMITTEE ACTION

M-1 Mr. Hellett moved to approve the minutes of March 16, 2009. Second by Mr. Shultz.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-2 Mr. Hellett moved to approve the minutes of April 6, 2009. Second by Mr. Reynolds.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-3 Mr. Shultz moved to authorize the payment of bills, for goods and services received by the Borough, having been reviewed and approved by the General Government Committee in the amount of \$26,229.85. Second by Mr. Reynolds.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

COMMITTEE REPORTS

GENERAL GOVERNMENT REPORT

Mr. Shultz said that the Committee met this evening to review and sign bills.

DISCUSSION: None.

POLICE REPORT

Mayor Davin said that shoplifting is on the increase and there have been a few DUI's, as well as twenty one (21) arrests for the month of March. The Mayor stated that revenue has increased.

Regarding the second quarter Significant Events Report, Mayor Davin noted that assists were made to other communities. Programming for the month included the "Click It or Ticket" program and the Department hosted a conference on Missing and Exploited Children.

Mayor Davin stated that roll call will emphasize use of the Policy and Procedure Manual.

DISCUSSION: Ms. Schaefer asked if signature verification of policy review was done by each officer and Mayor Davin responded that this was done at the original training.

Mr. Shultz requested information on the "other" category in the Police Report and was given an explanation by Mayor Davin.

PUBLIC SAFETY

Mr. Szefi deferred to Mr. Reynolds, who said that the Committee has not met.

DISCUSSION: None.

COMMUNITY DEVELOPMENT

The Committee did not meet.

DISCUSSION: None.

PUBLIC WORKS

Ms. Schaefer noted that Mr. Cook, Mr. Cecconi and she met to review the Allenby situation and said that a motion is on the agenda regarding the authorization of a test pit which will allow the Borough to explore where the Allenby houses might be reconnected.

Ms. Schaefer said that there was also talk of the trees and their care and a plan of how to be proactive in this regard was discussed.

Ms. Smith of Nine Mile Run Watershed Association contacted Ms. Schaefer regarding the City of Pittsburgh desiring to partner with communities for grant money for tree maintenance. Also discussed, according to Ms. Schaefer, was a rain garden, which is a hole about 20" deep that is filled with gravel and dirt and is fed via downspouts. After being contacted by the Edgewood Foundation, the Nine Mile Run Watershed Association is looking at the Carriage House at the Train Station as possible sites.

Ms. Schaefer's main concern was that if all the work is completed in this regard, how will this impact work on the Train Station.

Also discussed, according to Ms. Schaefer, was relocation of the sewer connector, the history of which was shared with Ms. Smith. Ms. Smith's group wanted to work on the gateway to Frick Park and Ms. Schaefer said that the Borough needs access to the sewer pipes in the park and would be hesitant to give up access.

The issue with the test pit, according to Ms. Schaefer, is that the cost could potentially be \$15,000.

DISCUSSION: Mayor Davin said that for any planting at C. C. Mellor Library and Community House, these are under the Board of Trustees instead of the Edgewood Club.

COMMUNITY SERVICE REPORT

Mr. Hellett said that the Committee did not meet. For Community Day, Mr. Hellett asked Mr. Cecconi if arrangements are complete and Mr. Cecconi replied in the affirmative.

DISCUSSION: Mayor Davin said that the Senior Brunch will be held May 10, 2009 at 11:30 AM at the Edgewood Club. There will be a presentation and special entertainment, as well as a video of all the children.

Ms. Schaefer requested that copies of the flyer be made for Council members.

The Mayor also reported on the cleanup which was held this past Saturday. She thanked Mr. Cecconi for his assistance and stated that there were twenty one (21) instead of the usual forty to fifty (40-50) attendees. The Mayor felt that a discussion is needed regarding how to get more people involved in this activity. She then thanked all residents who assisted.

Mayor Davin then reported that there is a couple who are willing to do the planting for the Western Pennsylvania Conservancy. The Mayor indicated that, following making contact with this couple, she will notify Council as to how they will proceed.

A discussion of previous banners used to announce events in the Borough ensued and the Mayor noted that the Western Pennsylvania School for the Deaf can make banners for all occasions.

PERSONNEL COMMITTEE

Mr. Hellett said the Committee did meet to discuss a personnel issue.

DISCUSSION: None.

Ms. Schaefer also noted that a short Executive Session would be needed tonight regarding personnel.

PENSION COMMITTEE

Mr. Szefi advised that he met with Mr. Dalessandro regarding distribution of a Request for Proposal (RFP) with the goal of seeing what vendors have to offer and creating a larger pool of fund managers to provide services. Mr. Dalessandro has drafted the RFP, according to Mr. Szefi. Further discussion ensued regarding the RFP and Mr. Dalessandro's appointment as fund manager through Nationwide.

DISCUSSION: A consensus was reached for sending out an RFP.

Mr. Shultz had questions regarding the status of the pension fund.

At Ms. Schaefer's request, Mr. Cecconi will send out an RFP by email.

AD HOC

PORT AUTHORITY AGREEMENT COMMITTEE

Mr. Reynolds informed Council that the Committee has met three times since March 23, 2009. The decision was reached that no bus stop can exist in Edgewood as the grade is two (2) feet higher than the busway and there are federal issues regarding infringing on the park.

There was talk of the right-of-way at today's meeting, according to Mr. Reynolds, and finishing the Train Station is the number one priority. Mr. Reynolds stated that the priorities should be focused on since Senator Costa is providing money for the project and the Borough needs to be ready to identify the most important project.

Mr. Reynolds said that various methods of funding were reviewed and that significant money is available through Pennsylvania Department of Transportation, and revitalization of neighborhoods, through Elm Street and Main Street grants. The Committee felt that the exterior is the most important place to start.

The public presentation for this project will be June 9, 2009 at the Edgewood Community House.

DISCUSSION: Ms. Schaefer said that the Port Authority representatives, Messrs. Bland and Debone, have worked faster and more efficiently and given better advice than any of the others over the years of this project. They seem extremely dedicated to getting this project done, according to Ms. Schaefer.

Mr. Hellett asked a question regarding prevailing wages which Mr. Cecconi answered. Also, Mr. Hellett had inquiries regarding the use of volunteers to work on the Train Station and was informed of liability which may occur by doing this.

Referring to Mr. Hellett's comments on the use of volunteers, Solicitor Barry informed him that the prevailing wage provisions must be checked for contractors. He indicated that the issue with the volunteers would be liability.

As for the Cooperation Agreement, Mr. Barry stated that there were a series of meetings with Port Authority and a feasibility study showed that a bus stop was possible. Mr. Barry also spoke to the issue of the bus stop and walkway to Edgewood Towne Centre, indicating that Port Authority may need to do an alternative project for the Borough, in lieu of the walkway. Further, Mr. Barry said that since the last meeting, he reviewed the grant agreement with Allegheny County Development and has corresponded with Mr. Strum of that agency. A revised scope of services is needed for the project, according to Mr. Barry.

EDGEWOOD PRIMARY SCHOOL

Ms. Schaefer stated that the Committee did not meet.

PARCEL D COMMITTEE

Mr. Szefi noted that the Committee did not meet.

3 RIVERS WET WEATHER DEMONSTRATION PROJECT

Ms. Schaefer said that the Committee did not meet.

DISCUSSION: None.

BOROUGH SOLICITOR REPORT

Mr. Barry had no separate report, but said there may be an issue for discussion at Executive Session.

Speaking about residential assessment appeals, Mr. Barry indicated that he does not get involved with these other than to receive copies, which he gives to Mr. Cecconi for refund.

DISCUSSION: Mayor Davin opened a discussion relating to DUI cases and breathalyzer results and whether there is any precedent regarding these cases being required to receive medical attention. The Mayor asked if the Borough has an obligation to have the medics examine these people.

Mr. Barry said if the person is thought to need medical attention, this is a judgment call on the part of the Borough, but for any DUI reading which is over the limit, then they should be checked out if they seem non-responsive, bewildered or physically ill.

It was Ms. Schaefer's opinion that it is a good practice for the paramedics to be called. She further stated that if the prisoner wants to decline treatment that this would be part of the record.

Mr. Reynolds agreed with Ms. Schaefer that the medics should be called as a matter of routine.

BOROUGH MANAGER REPORT

Mr. Cecconi explained that CDBG funding is being considered as a source for help with 828 Walnut Street.

DISCUSSION: None.

COMMITTEE ACTION

M-4 Mr. Hellett offered Ordinance 1028 on Third and Final Reading and asked for its immediate adoption. Second by Mr. Reynolds.

BOROUGH OF EDGEWOOD

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1028

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, CREATING HANDICAPPED PARKING AND PRESCRIBING PENALTIES FOR VIOLATION FOR SPACE AT THE FOLLOWING ADDRESS: 120 LINCOLN AVENUE

NOW, THEREFORE, be it ordained and enacted by Council for the Borough of Edgewood, and it is hereby ordained and enacted by the authority of same as follows:

SECTION 1. One handicapped parking space shall be created at the curb line of LINCOLN AVENUE in front of 120 LINCOLN AVENUE in the Borough of Edgewood to be marked and used for a handicapped parking space; and

SECTION 2. The handicapped parking space shall be permitted upon issuance of a permit by the police of the Borough of Edgewood for a period of one year and upon the expiration of one year to be submitted and reevaluated by the Council of the Borough of Edgewood for approval for an additional year with the process to continue from year to year until the handicapped need is removed or the premises are sold; and

SECTION 3. In the event that there is no longer a need for a handicapped space or in the event that the property has been sold, the handicapped parking permit shall be removed and all signs indicating space shall be removed; and

SECTION 4. Any person who shall violate any provision of this ordinance by parking in said handicapped space without proper handicapped identification shall upon conviction thereof be sentenced to pay a fine and costs in accordance with the Pennsylvania Motor Vehicle Code 75 Pa. CSA Section 3354; and

SECTION 5. Any Ordinance, or any part of any Ordinance, in conflict herewith is hereby repealed to the extent of such conflict.

SECTION 6. It is the intention of Borough Council that the provisions of this Ordinance shall become part of the Codification of Ordinances of the Borough of Edgewood and that said Codification shall be amended and supplemented accordingly.

ORDAINED AND ENACTED this 20th day of April 2009.

ATTEST:

BOROUGH OF EDGEWOOD

Warren Cecconi
Borough Manager

Patricia M. Schaefer
President of Council

EXAMINED AND APPROVED by me this 20th day of April 2009.

Jean O. Davin
Mayor

DISCUSSION: Solicitor Barry stated that it is his opinion that any parking or vehicular regulations must be approved by ordinance.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. **Third Reading Passes.**

M-5 The Chair asks, "Shall the Ordinance Pass?"

DISCUSSION: Ms. Schaefer shared expressions of thanks from Ms. Dempsey to Council for their help in securing the handicapped parking spot.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. **Ordinance 1028 Passes.**

M-6 Mr. Hellett moved to authorize the hiring of Department of Public Works summer employees. Second by Mr. Reynolds.

DISCUSSION: Prior to the vote, a change to reflect "authorization to advertise" instead of "authorization to hire" was made and the motion was restated as follows.

M-7 Mr. Hellett moved to authorize advertising to hire Department of Public Works summer employees. Second by Mr. Reynolds.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. Motion carried.

M-8 Mr. Cook moved to authorize the payment of property tax refunds in the gross amount of \$78.36 as reviewed by the Tax Collector to the property owners and in the amounts designated by the Tax Collector, which owners and amounts are listed in the minutes of this meeting. Second by Mr. Hellett.

NAME	ADDRESS	AMOUNT
Janet Carr	519 Greendale Avenue	\$78.36 (6 refunds x \$13.06)

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. Motion carried.

M-9 Mr. Hellett moved to authorize the Allenby Avenue test pit work. Second by Mr. Reynolds.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. Motion carried.

Following an Executive Session, which lasted from 9:07 PM to 9:19 PM, the following motions were made.

M-10 Mr. Hellett moved not to give William Gee permanent employment status and to terminate employment, effective immediately, with the Borough of Edgewood during his probationary period. Second by Mr. Reynolds.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. Motion carried.

M-11 Mr. Hellett moved to authorize advertising to hire a Department of Public Works full-time employee. Second by Mr. Reynolds.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

ADJOURNMENT

M-12 It was moved by Mr. Reynolds and seconded by Mr. Hellett to adjourn at 9:22 PM.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Warren Cecconi
Borough Manager