

**BOROUGH OF EDGEWOOD
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BOROUGH OF EDGEWOOD
DRAFT MINUTES OF THE COUNCIL MEETING HELD AUGUST 3, 2020

This meeting was held virtually using GoToMeeting.

Council President Wainright called the meeting of the Borough of Edgewood to order at 7:30 pm.

ROLL CALL

Upon roll call, the following responded: Mr. Bright, Mr. Fuller, Mr. Love, Mr. O'Donnell, Dr. Petrolla, and Ms. Yaney. Solicitor Tim Barry and Mayor Wilson were present. Junior Councilperson Ben Bermann was also present.

ITEMS FROM THE FLOOR: Comments were submitted electronically due to the COVID-19 Pandemic.

Elizabeth Felter, 205 Vine Street: I was very concerned to see the news report on CBS of children being harassed for selling water. As a mother, I know my children have frequently sold water, lemonade, etc. and never been bothered for doing so. I urge the Council to investigate this matter, and, if necessary, enact an ordinance to protect children from harassment for performing the work of childhood, such as a "Lemonade Stand" ordinance. I look forward to hearing what the Council finds.

Mickey McGlasson, Edgewood Resident: Over the weekend, I read a news story about my community that deeply troubled me. According to KDKA, the Edgewood Police Department, in response to calls from local residents, removed a group of young black boys who had been respectfully selling water and Gatorade to passing drivers on the corner of Swissvale Avenue and Walnut Street. It's metaphorically fitting that this took place at the boundary between our mostly-white borough and our mostly-black neighbor community, Wilkinsburg. There is so much that is commendable about the actions of the boys, and there is so much that is disappointing about the actions of our borough.

As with many events that involve the interaction between police and the black community, especially black men and boys, the pretense for this surely seems innocuous to some people. But to display the level of disregard for societal context — for the still-active legacy of weaponizing law enforcement against black communities around the country, for the countless headlines that begin with what would, in a more just world, be an innocuous action and end with the death of an unarmed black person — that our residents and police officers seem to have displayed in this moment goes beyond ignorance. It is shameful.

Let me rephrase the story for anyone who does not share my disappointment. A few entrepreneurial kids work hard to make an honest buck. In the process, they accidentally step 10 feet over an invisible racial divide. They are met with a statutory barrier enforced by armed guards.

At the very least, our community owes these children an apology. But I think we owe them, ourselves, and all of our neighbors a whole lot more. We should use this headline to motivate reform in our policies and to take an active stand towards racial inclusion that goes beyond yard signs.

In the meantime, I, for one, am thirsty — not only for a cold beverage, but for change.

Kelly Smith, 138 W Swissvale Ave: As a resident of this community, I am disappointed and angry in the way our police officers enforced a borough ordinance and forced Zyiere Jones to move to the "Wilkinsburg side" of Swissvale Ave. I believe if this had been white teenagers selling water, they would have been left alone- by our neighbors and our police. This is no different that children who offer a lemonade stand- will we be shutting those down as well? Our Borough needs to do a better job at understanding racism and our own white privilege. These kids should be welcomed and their drive and entrepreneurism should be encouraged.

Ashley Cadaret, Ivy Street: I was disheartened and disappointed to see the reports that some young Black teens were told they couldn't sell bottled water in Edgewood and to move to Wilkinsburg. My family and I are new to Edgewood (living on Ivy St) and had hoped this was a welcoming neighborhood for ALL races. I'm sure if my young white sons were selling lemonade on the corner, people would think it was sweet, not a crime.

I'd like to know what kind of policies our police use to ensure they are not acting with racism. Have they adopted the 8 Can't Wait policies (Banning chokeholds and strangleholds, banning shooting at moving vehicles, exhausting all alternatives before shooting, requiring that all use of force be reported, requiring a warning before shooting, requiring officers to stop another officer from using excessive force, and limiting the types of force and/or weapons that can be used to respond to specific types of resistance.)

Thanks so much for your work!

Jane Jessell, 323 E Swissvale Avenue: I live at 323 E Swissvale, across the street from the School for the Deaf. This year there has been a significant increase in motorcycle traffic – seems that riders are just screaming down the street at high velocity, with incredible noise, enough to wake up sleeping children (yes, windows have been opened this summer). I've even seen riders pass motorists on both the right and left side of the car.

By the way, I've had my car hit while legally parked at least 6 times during the past few years, once when it was actually parked in my driveway and once when it was totaled with a rear end hit. The other times I just lost my side mirror.

Is there an ordinance in place to stop this annoying/dangerous situation? If Edgewood wants to see some revenue – I know that there would be plenty of traffic citations at the corner of Swissvale and Walnut (people tearing through red lights) as we try to convince our neighbors to slow down and keep it to a low roar. Let's don't wait until there's an accident.

Edgewood Borough Police Chief Robert Payne addressed council regarding the events of Saturday August, 1 and the events leading up to Officer Livingston's encounter with Zyiere Jones. According to Chief Payne, Officers had received a number of radio calls over the prior week about kids running into traffic selling water bottles and leaving trash on private property. On several occasions, Edgewood officers encountered a group of juveniles and asked them to move their sales elsewhere and would purchase water from the boys. Officer Livingston's encounter with Zyiere on August 1 was no different except that Fred explained to Zyiere that he should obtain a permit if he wants to sell water on the corner of Walnut and W. Swissvale Avenues.

Chief Payne further explained that Zyiere's mom, Ky, called the borough Monday morning to inquire about a permit for her son. She spoke with Mr. Zahorchak who explained the need for a permit and the process to obtain one. Later in the day, Zyiere and his mother came to the borough building and were given a permit, at no cost, that would allow Zyiere to continue selling water on the corner of Walnut and W. Swissvale. Mrs. Jones stated she worried for the safety of her son being a young man just trying to earn some money. She stated that Edgewood is a much safer community than Wilksburg where they live. She worries about him being beaten up or encountering a stranger in a passing vehicle. Chief Payne stated he shared her concerns and elaborated that by obtaining a permit the police department will know where Zyiere is going to be and allow them to keep an eye on him. There's also a CCTV camera belonging to the Western Pennsylvania School for the Deaf on that corner which is monitored by their security guard. Mrs. Jones was glad to hear that someone would be watching out for her son.

A discussion followed about a response to both the media and the community. One will be drafted.

There being no additional discussion, Mayor Wilson read the following proclamation:

**BOROUGH OF EDGEWOOD
PROCLAMATION 2020 – 03**

WHEREAS, Edward Joseph Biedenbach was born August 12, 1945 in Pittsburgh, Pennsylvania and later attended Edgewood High School, graduating in 1963, and;

WHEREAS, Biedenbach was a two-sport standout at Edgewood High School. He lettered in basketball for three seasons and led his school to two league championships as an all-state performer. Biedenbach lettered in football two seasons and played quarterback and linebacker. In the fall of 1998, Eddie was inducted into the East Boro's Hall of Fame, and;

WHEREAS, after graduating Edgewood High School in 1964, Biedenbach attended North Carolina State University where he was dubbed "The Pittsburgh Pickpocket" for his defensive prowess. He led the Wolfpack to the ACC Championship game following his senior year and was named N.C. State's Most Valuable Player. In 2003, he was voted as the N.C. State Player of the Decade for the 1960s., and;

WHEREAS, Biedenbach was selected by the St. Louis Hawks in the ninth round of the 1967 NBA Draft following his junior year and the L.A. Lakers in the fourth round of the 1968 NBA Draft after his senior season. Biedenbach was drafted by three different teams in two sports after his senior year – the Lakers, New Jersey Nets, and Dallas Cowboys. He played for the Phoenix Suns briefly before embarking on his collegiate coaching career., and;

WHEREAS, during his lengthy and accomplished coaching career, including 20 years as a head coach, Biedenbach was named the Big South Conference's all-time winningest coach for conference wins (156) and tournament victories (20).

NOW, THEREFORE on this the 3rd day of August 2020, the Office of the Mayor of the Borough of Edgewood, in partnership with Borough Council, congratulates Eddie Biedenbach on his numerous athletic and coaching accomplishments both at Edgewood High School and North Carolina State University, and proclaims Wednesday, August 12, 2020 as "**EDDIE BIEDENBACH DAY.**"

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 3rd day of August, 2020.

Mayor Wilson read the following proclamation:

**BOROUGH OF EDGEWOOD
PROCLAMATION 2020-04**

WHEREAS, the Borough of Edgewood recognizes exceptional service and acknowledges commitments to community; and;

WHEREAS, Boy Scout Troop 23 was established in Edgewood in 1912 in order to build character and responsibility in young people; and;

WHEREAS, the rank of Eagle Scout is the highest rank attainable in the Boy Scouts of America and requires extensive service and leadership; and Tanner Wayne Maue has proved this through serving Boy Scout Troop 23 in the leadership roles of Librarian, Quartermaster and Assistant Senior Patrol Leader and completed all of the requirements for Eagle Scout including his Eagle project of building Bat Boxes for the Edgewood Community and Humane Animal Rescue's Wildlife Center to protect our endangered bat population.

NOW THEREFORE BE IT RESOLVED that the Borough of Edgewood recognizes and acknowledges **TANNER WAYNE MAUE** for earning the rank of Eagle Scout from the Boy Scouts of America.

PROCLAIMED this 3rd day of August 2020 by the Mayor of the Borough of Edgewood.

AUTHORIZATION TO PAY BILLS

M-1 Mr. O'Donnell 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, from the General Fund in the amount of \$54,649.66. Second

DISCUSSION: Mr. O'Donnell noted the bill list contained the payment for the traffic signal poles for the Maple Avenue traffic light. Mr. Zahorchak explained that the grant paying for the traffic signal requires the borough to pay for components and then submit for reimbursement to PENNDOT.

Upon roll call vote the following responded yes: Mr. Bright, Mr. Fuller, Mr. Love, Mr. O'Donnell, Dr. Petrolla, and Ms. Yaney. **Motion carried.**

COMMITTEE ACTION

M-2 Mr. O'Donnell read the following resolution:

BOROUGH OF EDGEWOOD RESOLUTION 2020-23

WHEREAS, Section 5001 of the federal Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), which became law on March 27, 2020, establishes a Coronavirus Relief Fund; and

WHEREAS, the CARES Act requires that Coronavirus Relief Fund money be used for expenditures that (1) were necessary expenditures incurred due to the COVID-19 public health emergency; (2) were not accounted for in the budget most recently approved as of March 27, 2020; and (3) were not incurred prior to March 1, 2020; and

WHEREAS, Allegheny County received Coronavirus Relief Fund money from the United States Department of the Treasury; and

WHEREAS, Allegheny County is distributing Coronavirus Relief Fund money to eligible entities for permissible expenditures; and

WHEREAS, Section 9 of the Allegheny County Coronavirus Relief Fund Contract requires a duly adopted resolution naming an authorized individual to execute the Contract and to submit CARES Reimbursable Expenditures Forms on the recipients behalf.

NOW, THEREFORE, be it resolved that Rob Zahorchak, Edgewood Borough Manager, is authorized to execute the Allegheny County Coronavirus Relief Fund Recipient Contract and submit CARES Reimbursable Expenditures Forms on behalf of the Borough of Edgewood for all eligible expenses.

ADOPTED this the 3rd day of August, 2020 by the Council of the Borough of Edgewood. Second Mr. Love.

DISCUSSION: Mr. Zahorchak commented that the borough can receive up to \$80,000 in funds under the CARES Act to cover any COVID-19 related expenses. Mr. Barry highlighted the need to pay close attention to eligible and ineligible expenses under this reimbursement program.

Upon roll call vote the following responded yes: Mr. Bright, Mr. Fuller, Mr. Love, Mr. O'Donnell, Dr. Petrolla, and Ms. Yaney. **Motion carried.**

BUSINESS MEETING

VOLUNTEER FIRE DEPARTMENT Mr. Halle reminded council that the department is holding a drive through spaghetti dinner fund raiser on August 15 at the borough building. Meals are \$10. Residents are offering to donate items and they are welcomed. In response to a question asked by Mr. O'Donnell, Mr. Halle stated the new engine is working perfectly.

WATER AUTHORITY REPORT Mr. Fuller reported the authority did not meet in July. The next meeting is Tuesday August 11.

RECREATION REPORT Mr. Zahorchak reported that softball has concluded and T ball ends August 8. Soccer registration is going well with almost 40 kids registered. Outdoor yoga and Thai Chi will continue into September.

PLANNING COMMISSION Mr. Zahorchak said the commission did not meet.

COG REPORT Mr. Wilson reported that the COG did not meet.

SOLICITOR'S REPORT Mr. Barry advised council of his opinion that a response regarding the events of August 3 be published on the website and send to the media. A brief discussion ensued.

BOROUGH MANAGER'S REPORT : Mr. Zahorchak updated council on several items including the road paving walk through scheduled for August 4 and that the Civil Service Committee voted to extend the current police officer eligibility list. Mr. Zahorchak and Chief Amos are starting to draft sale specifications for the old fire engine. He also reported on the long overdue deep clean of the entire building.

NEW BUSINESS: Mayor Wilson inquired about holding a public safety committee meeting and the committee members would schedule one shortly. A community development committee meeting was announced for Wednesday August 5, 2020 at 4pm.

Mr. Love inquired about needing a permit to sell water bottles on the corner versus having a lemonade stand and whether council needs to make a distinction between the two. Mr. O'Donnell replied that the boy's mother requested a permit. Mr. Wainright responded that permits have always been needed to sell things in the borough. Mr. Zahorchak responded, along with the mayor, that the distinction lies in where the activity is taking place. A lemonade stand on private property doesn't require the same approval as selling something on a public sidewalk.

M-3 It was moved by Mr. Fuller and seconded by Mr. O'Donnell to adjourn at 8:17 pm.
The aye vote on the motion was unanimous. **Motion carried.**



Rob Zahorchak, Borough Manager