

**BOROUGH OF EDGEWOOD
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**BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
MONDAY, SEPTEMBER 17, 2007**

President Patricia Schaefer called the Meeting of the Council of the Borough of Edgewood to order on Monday, September 17, 2007 at 7:37 PM in the Municipal Building.

Borough Manager Kurt Ferguson called the roll and the following responded: Ms. McDonald, Mr. Cook, Mr. Szefi, Mr. McNally, Mr. Hellett, Ms. Schaefer.

Ms. Nogrady and Jr. Councilperson McArdle were absent.

Mayor Jean O. Davin and Borough Solicitor W. Timothy Barry were also present.

The Pledge of Allegiance was recited.

ITEMS FROM THE FLOOR

Mr. Faraci of 122 Lincoln Avenue spoke to Council regarding the sixty (60) day overnight call-in limitation in the parking ordinance. He noted the recent birth of his daughter and stated that visiting friends and relatives have necessitated him using his entire sixty (60) call-ins for the year. He asked Council if the ordinance might be amended.

DISCUSSION: President Schaefer noted that this is a parking ordinance, a law, and was studied for quite a while. She indicated that she is sympathetic to Mr. Faraci's problem and felt the issue might be discussed in a Public Safety meeting. Further, Ms. Schaefer stated that the ordinance is a way to keep track of abandoned vehicles. At the time of the ordinance being passed, the sixty (60) day limit was felt to be liberal, according to Ms. Schaefer.

Mr. Ferguson stated that he had extended Mr. Faraci to seventy three (73) days to accommodate his situation. Mr. Ferguson then reviewed the non-resident permit fee of \$120 and how this amount is prorated for the remainder of the year.

Mr. Szefi asked for proposed suggestions from Mr. Faraci as to solutions and Mr. Faraci stated that the police could determine whether vehicles are abandoned by a vehicle's license plate. He also felt that it would be helpful if everyone was required to call each and every day for overnight parking. Another suggestion was to issue a temporary permit, but still have the requirement in place to call the vehicle in each night.

Mr. Ferguson gave background information on review of the changes in the parking ordinance in 2003-2004 and stated that when there was no aggressive track kept on call ins, people from adjacent boroughs were calling their vehicles in for overnight parking. The residents of Lincoln, Greendale, Oakview and the streets surrounding the Library, according to Mr. Ferguson, opened up to residents of the Borough following the institution of the parking ordinance and tracking of call-ins.

Mr. Ferguson then offered that if Council wants to explore temporary permits, there are some issues that must be reviewed.

Ms. Schaefer stated that, because parking is an ordinance, it is not something that can be suspended. She also felt that it has been a long while since the ordinance was passed and although the ordinance has served the community well, parking on the streets is not easy. The residents who do not have driveways purchase permits each year, according to Ms. Schaefer. She felt that it is probably time to evaluate the parking ordinance and the instances that have been addressed. It was recommended by Ms. Schaefer that the Public Safety Committee, the Traffic Safety Committee, Chief Wood and Mr. Ferguson meet regarding this topic.

In response to Mr. Faraci's question as to what to do until the ordinance is reviewed, Ms. Schaefer said that a permit could be prorated and to speak with Mr. Ferguson regarding alternatives.

COMMITTEE ACTION

M-1 Mr. McNally moved to approve the minutes of August 20, 2007. Second by Mr. Cook.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Mr. McNally, Mr. Hellett, Ms. Schaefer voted yes. Mr. Szefi abstained. Motion carried.

M-2 Mr. McNally moved to approve the minutes of September 4, 2007. Second by Ms. McDonald.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Mr. Szefi, Mr. Hellett, Ms. Schaefer voted yes. Mr. McNally abstained. Motion carried.

M-3 Mr. McNally moved to authorize the payment of bills, for goods and services received by the Borough, having been reviewed and approved by the Borough Council in the amount of \$126,026.00. Second by Mr. Cook.

DISCUSSION:

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

COMMITTEE REPORTS

GENERAL GOVERNMENT REPORT

Mr. McNally noted that the Committee met this evening to review bills and to discuss other matters that will be coming before a future Executive Session.

DISCUSSION: None.

POLICE REPORT

Mayor Davin indicated that the Part I crimes were pretty much theft related and the Part II crimes were down from the previous two years. She then read the other statistics from the report.

DISCUSSION: None.

PUBLIC SAFETY

Ms. McDonald read the highlights of the report.

DISCUSSION: Ms. Schaefer referred to the parking ordinance and stated that as it is a law this should be reviewed in conjunction with the Public Safety and Traffic Committees in conjunction with the Mayor.

COMMUNITY DEVELOPMENT

Mr. Szefi stated there was no meeting.

DISCUSSION: None.

PUBLIC WORKS

Ms. McDonald said the Committee met September 10, 2007 and spoke at length with a resident who had issues regarding flooding. The Borough is working with her to find solutions which she can pursue.

Ms. McDonald also noted that there are a couple of other matters that have not matured and a meeting will be held next Monday with the engineering firm at 7:30 PM.

DISCUSSION: Mayor Davin had questions regarding the previous use of a maintenance company for the Borough Building and Mr. Ferguson stated that he has help from his administrative and emergency services staffs.

COMMUNITY SERVICE REPORT

Mr. Hellett stated that the Committee met to talk about Community Day with input from Council, but decided to look at it briefly and wait for a full report from Mr. Ferguson. Also, the Committee discussed trees and Recreation Coordinators.

DISCUSSION: Ms. McDonald reported that the Edgewood Foundation Newcomers' Reception will be held at 328 Maple Avenue on September 20, 2007 and Ms. Schaefer will attend.

Ms. Schaefer advised Council to make a personal invitation to any new neighbors they may have.

PERSONNEL COMMITTEE

The Committee did not meet, according to Mr. Hellett, but will meet next Monday.

DISCUSSION: Mr. McNally reminded everyone that the annual evaluation process for Mr. Ferguson and Chief Wood is near and he asked Mr. Ferguson to forward the necessary forms. Mr. McNally stated that he has great expectations that the process will be productive and efficient.

PENSION COMMITTEE

According to Mr. McNally, the Committee did not meet.

DISCUSSION: None.

AD HOC

PORT AUTHORITY

Mr. McNally said the Committee met on the fourth Wednesday of August with Mr. Marinzel and a planning representative, both of whom are new to Port Authority. All of the prior incumbents who were exposed to the Cooperation Agreement are now gone from the Port Authority, including Mr. Nutbrown who was the addressee on the letter requesting the status of moving forward with the Agreement, according to Mr. McNally.

The Committee believes that the time has come, with the lack of demonstrable progress, to renew the request to Port Authority for a responsive letter setting forth answers to earlier questions.

Mr. McNally stated that the Committee also received the key to the Train Station to allow access by Mr. Bilyak and Mr. Grubb to assess what needs to be done to deliver a “vanilla box” interior to be able to lease the Station to a commercial lessee. According to Mr. McNally, the name of the attorney responsible for the draft lease has been passed on to the Borough Solicitor. Further, Mr. Barry’s call to that attorney will be another plea to Port Authority to discharge its obligations in a timely fashion as things have not happened any faster than they did earlier in the year.

The Train Station completion date by the contractors for doors, plumbing and other issues is about now and once that is done, the Public Works Department will do the remaining work to put the Train Station in a condition to be turned over to the Borough. However, this cannot happen until a lease is in place.

With regard to the Edgewood Avenue Revitalization Process, Mr. McNally stated that a firm must be retained under suitable terms, since when the initial draft was provided, it was unsuitable. Mr. Ferguson has advised the initial firm that this was the case.

Soon after having a draft agreement with the consultant in place, the entire process needs to go forward. According to Mr. McNally, this will also have implications for the Parcel D Committee and the consultant will have to be included in the deliberations at this point.

Mr. McNally mentioned that a regularly scheduled meeting is set for September 26, 2007 and he would like to circulate a draft letter to tell Port Authority that after months of meetings, they no longer have incumbents in place to discharge the obligations as written at the time of the letter.

Questioning who might appear on behalf of Port Authority since Mr. Ferguson had calls from them asking if they needed to come to the meeting, Mr. McNally said that answers are needed to a lot of questions and the two relatively new meeting participants from Port Authority tell the Borough they do not have answers.

It was felt by Mr. McNally that a meeting was needed with State Senator Jay Costa, without a third party present, to explain the background of, as well as to summarize, the current situation and where it stands.

DISCUSSION: Speaking to the Cooperation Agreement, Ms. Schaefer asked if there is legal recourse to the items in the Agreement which Port Authority must still honor and Mr. McNally stated that he would prefer that this be discussed in Executive Session.

Solicitor Barry stated for the record that he had sent a letter to Mr. Nutbrown on June 5, 2007 and that it has been 3+ months with no response. He stated that he will follow up with the attorney.

Mr. McNally said he did not imply, and that it should not be inferred, that for any of the detail provided, Port Authority is released of its obligations under the Agreement. On the contrary, he stated, they are clearly responsible and this should be made to happen.

EDGEWOOD PRIMARY SCHOOL COMMITTEE

Ms. McDonald stated that the Committee did not meet.

DISCUSSION: None.

PARCEL D COMMITTEE

Mr. McNally informed Council that the Committee has not met.

DISCUSSION: None.

3 RIVERS WET WEATHER DEMONSTRATION PROJECT

Ms. Schaefer said that the Basin Group will be meeting in October.

DISCUSSION: None.

COMPREHENSIVE INTERMUNICIPAL STEERING COMMITTEE

Mr. Szefi stated that the Committee met on the first Thursday in September with the planners in attendance. Much of the discussion, according to Mr. Szefi, centered around the Mon-Fayette Expressway. A few potential ideas were discussed with regard to Edgewood, including a residential

development in Dickson Park and ideas for usage of Parcel D including light industrial and commercial development. A public meeting is desired for further review of these topics in mid- to late November.

DISCUSSION: None.

SOLICITOR'S REPORT

Mr. Barry indicated that he has reviewed two of the matters before Council for action, those being the rock salt bid and the refuse motion.

DISCUSSION: Speaking to Mr. Barry, Mayor Davin indicated that she is still waiting for his report regarding the trustee's agreement for the Library.

BOROUGH MANAGER'S REPORT

Mr. Ferguson reported that he and Mr. Bilyak went on a walk-through at the Train Station. He also reported that he has secured a \$15,000 grant for a new police car. Further, Mr. Ferguson stated that he is working on the 2008 budget and will have this before Council on October 12, 2007. The 2008 street paving program, according to Mr. Ferguson, will be reviewed with the Public Works Director. The Haunted House dates will be October 19-20 and October 26-27, 2007.

For the upcoming leaf season, Mr. Ferguson noted that there is a motion on the agenda this evening for a seasonal employee to be hired, as the Public Works Department is very shorthanded. This will give the Department some short-term relief for the leaf season, scheduled to begin October 26 or 29, 2007, according to Mr. Ferguson.

Parking permits for 2008 are being produced currently and letters will be distributed to residents by October 15, 2007. The permit will also be online and will provide instructions for use.

DISCUSSION: Mr. Szefi had questions regarding the late date for the start of leaf pickup and when residents would be able to start dumping leaves into the street. Mr. Ferguson said that residents may place the leaves on the street on the first day of leaf pickup.

It is Mr. Ferguson's hope that several seasonal workers can be found for leaf pickup as there have been limited responses. Public Works employees have been asked about any friends they may have who might be candidates for the positions. Mr. Ferguson indicated that the Public Works Department staff of four will be replanting bulbs in the Borough over a four day period.

Following a conversation about trees in the Borough, Mr. Cook noted that there are not many sycamore trees in Edgewood. These trees, he stated, shed their leaves in early August and stop thereafter.

Suggestions regarding leaf pickup from Mayor Davin included starting leaf pickup earlier and leaving the flower work for a rainy day. Mr. Ferguson noted that there are about six other "rainy day projects" which trump this from occurring. The Mayor also suggested visiting a temporary employment agency located in Forest Hills for recruits, even though this may be more costly.

Mr. McNally hoped that Mr. Ferguson might give a brief summary of the enhanced code enforcement efforts as he has received some questions on the subject.

Mr. Ferguson noted that letters have gone out to residents with descriptions of what the inspector finds. These may be items the resident can correct, but there are some items that are not necessarily quick turnarounds. Some of the problems involve trees and sidewalks. The arborist, according to Mr. Ferguson, said that the Borough should not cut back tree roots and the arborist is investigating new ways to deal with this issue. The sidewalk letters have not gone out.

Mr. Ferguson said a report on the properties which have been taken care of has been issued, but this can be a slow-moving process. He said that District Justice Evashavik is fairly strict and is intent on improving these properties. Seven streets have been completed and every street in the Borough will eventually be completed, stated Mr. Ferguson.

Mr. Ferguson again spoke about viable alternatives for the tree roots, which the arborist will be investigating. He stated that the arborist will then come to address Council on the matter.

Mayor Davin said that asphalt can be put on the sidewalks, but that this looks unsightly. She also spoke regarding the gas line repair being done on Maple Avenue and when this will be completed.

Mr. Ferguson said that as problems were found, it was recommended by the gas company that they should be fixed. He further stated that the gas company will be responsible for putting the property, including the sidewalk back to its original state.

Mr. McNally asked how the gas company plans to handle the relighting of stove pilots after being turned on and off over a period of time. He also indicated that he felt this is a public safety issue and, as well, after comments from Mr. Ferguson, felt that the gas company has no adequate plan to address this. Mr. Ferguson said that unless they are called to take care of this, he did not feel the gas company had a plan. After further query by Mr. McNally, Mr. Ferguson indicated that he will follow-up with the gas company to find out their intention.

NEW BUSINESS

Meetings were set as follows: Public Works – September 24, 2007 – 7:30 PM; Public Safety – October 8, 2007 – 7:30 PM.

Mayor Davin indicated that she, Ms. Nogrady, Mr. Hellett and Mr. Cook attended the Mayors' Dinner regarding regionalization of the police forces, for which Edgewood is not a candidate. Also, the Mayor attended a meeting at the Western Pennsylvania School for the Deaf (WPSD), along with representatives of Wilkesburg and various state legislators and WPSD representatives. Mayor Davin informed Council that the Jane Holmes Residence is closing and they had been an integral part of the community. The Wilkesburg mayor indicated that there has been an entity interested in the building.

Western Pennsylvania School for the Deaf representatives assured members of the community that security measures being done for their property are not because of concern in the neighborhood. The Virginia Tech massacre prompted that measures to be taken and the security is also being changed as the School for the Deaf has many children with lots of needs. They felt it was

best to enclose the property. The property will be fully operational in the next week and will have operational cameras which will tape and record. Allowances have been made for ambulance transport, as well, according to Mayor Davin, and by pulling up and sounding their siren, the gate will lift for the ambulance to pass through.

Mayor Davin said that the School for the Deaf had also found an old abandoned manhole on its driveway and this has now been fixed.

The School is trying to organize a community block party and hopes to advertise on the Borough message board. They are also asking community organizations in Edgewood and Wilkinsburg to attend on October 6, 2007 from 1:00 – 4:00 PM. Mayor Davin passed this information on to the Edgewood Foundation to see if they want a booth for the affair. The School will be making food and will be trying to promote friendship and communication between neighborhoods.

For the School for the Deaf event, the Edgewood Police Department will do child fingerprinting at no cost.

The Mayor also mentioned that she received a copy of the Wilkinsburg Newsletter, which she circulated to Council. This is printed by the Western Pennsylvania School for the Deaf. The producers of the Wilkinsburg Newsletter asked if Edgewood would like to place any articles in their Newsletter and Ms. Schaefer stated that this would go through the General Government Committee.

Mayor Davin indicated that the Mad Dads group will also participate in the festivities and, as well, there will be voter registration.

COMMITTEE ACTION

M-4 Mr. McNally moved to authorize the advertisement for refuse collection services for the Borough of Edgewood. Second by Mr. Cook.

DISCUSSION: Solicitor Barry indicated that he and Mr. Ferguson reviewed the bid specifications, which are essentially the same, other than the change in the number of estimated units to 1,343, subject to monthly contract certification.

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

M-5 Mr. McNally moved to approve the motion to approve the bid of Cargill, Inc., to provide rock salt for the Borough of Edgewood beginning September 6, 2007 through July 31, 2009 currently at the rate of \$42.93 per ton. Three (3) sealed bids were received and opened by the South Hills Area Council of Governments. Second by Ms. McDonald.

DISCUSSION: Mr. Barry said that the Council of Governments did a nice job on this and, as part of what they gave the Borough, there is a sample agreement. He indicated that the motion should include not only the awarded bid, but the awarded contract.

Mr. McNally mentioned that the motion could be amended to reflect this, but if this was added, Council should understand that clarification is necessary to Mr. Ferguson's letter. The current proposed agreement would allow the vendor to unilaterally declare one additional one-year term to the agreement.

Mr. Barry said that the current agreement is through July 31, 2008, with the first year being a one-year agreement and an additional year at the option of the Borough. The third year ran from August 2009 through July 2010 and will be made by mutual agreement.

After **withdrawal** of the second and the motion by Mr. McNally and Ms. McDonald, Mr. McNally presented the motion again.

- M-6 Mr. McNally moved to approve the bid of Cargill, Inc. and the contract proposed to provide rock salt beginning September 7, 2007 throughout August 31, 2009 currently at \$42.93 a ton. Three (3) sealed bids were received and opened by the South Hills Area Council of Governments. Second by Ms. McDonald.

DISCUSSION: None.

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

- M-7 Ms. McDonald moved to advertise to hire part-time seasonal employees for the Public Works Department. Second by Mr. Cook.

DISCUSSION: None.

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

Ms. Schaefer reviewed the upcoming meetings as follows: September 24, 2007 – 7:30 PM – Public Works Committee; 8:00 PM – Personnel Committee. October 8 – 7:30 PM – Public Safety Committee. Next Council meeting – October 1, 2007 – 7:30 PM.

ADJOURNMENT

- M-8 It was moved by Mr. Cook and seconded by Mr. Szefi to adjourn this meeting at 9:10 PM.

Kurt M. Ferguson
Borough Manager