

BOROUGH OF EDGEWOOD
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**BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
MONDAY, DECEMBER 21, 2009**

President Schaefer called the Meeting of the Council of the Borough of Edgewood to order on Monday, December 21, 2009 at 7:37 PM in the Municipal Building.

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

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

The Pledge of Allegiance was recited.

EMPLOYEE AWARDS/PROCLAMATIONS

Ms. Schaefer said that over the past ten years, Council has honored employees with service in multiples of five years. She then called forward the employees who fit that category and the Mayor read the following Proclamations and gave them plaques.

BOROUGH OF EDGEWOOD

PROCLAMATION 2009-06

WHEREAS, the Edgewood Borough crossing guards are charged with the duties of efficiently overseeing the welfare of the Borough's children to and from school; and

WHEREAS, the workers are required to cross children in weather of all types; and

WHEREAS, Dave Boslett has demonstrated his skills and commitment to the Borough of Edgewood by fulfilling the requirements of his position.

NOW, THEREFORE, on this the 21st day of December 2009, the Office of the Mayor of the Borough of Edgewood recognizes the contributions of Dave Boslett for his five years of dedicated and loyal service to the Borough and proclaims Monday, December 28, 2009 as "**DAVE BOSLETT DAY.**"

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 21st day of December 2009.

Jean O. Davin, Mayor

BOROUGH OF EDGEWOOD

PROCLAMATION 2009-07

WHEREAS, the Edgewood Borough Police Department is one of the eastern suburbs premier Departments; and

WHEREAS, Officer Michael Libell has served as a Patrolman and has contributed to the Department over the past five years; and

NOW, THEREFORE, on this the 21st day of December 2009, the Office of the Mayor of the Borough of Edgewood recognizes and thanks Michael Libell for his five years of dedicated and loyal service to the Borough and proclaims Tuesday, December 22, 2009 as **"MICHAEL LIBELL DAY."**

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 21st day of December 2009.

Jean O. Davin, Mayor

BOROUGH OF EDGEWOOD

PROCLAMATION 2009-08

WHEREAS, Edgewood Borough Administration is charged with the duties of efficiently overseeing the day-to-day operations of the front office under the guidance of the Borough Manager; and

WHEREAS, the Department is required to have broad-brush knowledge to enable them to engage in a variety of ways, including directing calls from residents; and

WHEREAS, Donna Lewis has demonstrated her skills and commitment to the Borough of Edgewood by fulfilling the requirements of her position.

NOW, THEREFORE, on this the 21st day of December 2009, the Office of the Mayor of the Borough of Edgewood recognizes the contributions of Donna Lewis for her ten years of dedicated and loyal service to the Borough and proclaims Wednesday, December 23, 2009 as **“DONNA LEWIS DAY.”**

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 21st day of December 2009.

Jean O. Davin, Mayor

BOROUGH OF EDGEWOOD

PROCLAMATION 2009-09

WHEREAS, the Edgewood Borough Police Department is one of the eastern suburbs premier Departments; and

WHEREAS, Officer Fred Livingston has served as a Patrolman and has contributed to the Department over the past five years; and

NOW, THEREFORE, on this the 21st day of December 2009, the Office of the Mayor of the Borough of Edgewood recognizes and thanks Fred Livingston for his five years of dedicated and loyal service to the Borough and proclaims Thursday, December 24, 2009 as **“FRED LIVINGSTON DAY.”**

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 21st day of December 2009.

Jean O. Davin, Mayor

OUTGOING COUNCIL

Ms. Schaefer individually called each of the outgoing Council people forward, first thanking them for their service and then presenting them with plaques. They are Mr. Fuller, Mr. Shultz, Mr. Cook, Ms.

McDonald and Mr. Reynolds. Ms. Schaefer lauded each for their accomplishments and service on Council and plaques were then presented to each of them itemizing their Committee assignments.

ITEMS FROM THE FLOOR

None.

COMMITTEE ACTION

M-1 Ms. McDonald moved to approve the minutes of November 16, 2009. Second by Mr. Fuller.

DISCUSSION: None.

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

M-2 Ms. McDonald moved to approve the minutes of December 7, 2009. Second by Mr. Reynolds.

DISCUSSION: None.

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

M-3 Ms. McDonald 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 \$156,921.69. Second by Mr. Reynolds.

DISCUSSION: None.

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

M-4 Ms. McDonald moved to approve the Borough budget for 2010 as advertised with general revenue of \$2,779,235.06 and general expenditures of \$2,779,235.06. Second by Mr. Cook.

DISCUSSION: None.

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

M-5 Ms. McDonald offered Resolution 2009-38 and asked for its immediate adoption. Second by Mr. Cook.

BOROUGH OF EDGEWOOD

RESOLUTION 2009-38

WHEREAS, the Borough of Edgewood has a Civil Service Commission and

WHEREAS, it is the desire of the Borough Council to maintain a degree of continuity and experience on the Civil Service Commission and

WHEREAS, Joy Mc Nally has exhibited knowledge and ability to make positive contributions to the Civil Service Commission.

NOW THEREFORE BE IT RESOLVED that the Edgewood Borough Council will hereby appoint Joy Mc Nally to the Civil Service Commission to a term which will expire December 31, 2009.

ADOPTED this the 7th day of December 2009 at the meeting of the Council of the Borough of Edgewood.

Borough Secretary

Council President

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Shultz, Mr. Reynolds, Mr. Fuller, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Resolution Passes.**

SWEARING IN

Mayor Davin then called Ms. McNally forward to be sworn in.

**OATH OF OFFICE
DECEMBER 21, 2009**

**COMMONWEALTH OF PENNSYLVANIA
ALLEGHENY COUNTY**

Oath of Office

I, **JOY MC NALLY**, DO SOLEMNLY SWEAR THAT I WILL SUPPORT, OBEY AND DEFEND THE CONSTITUTION OF THE UNITED STATES, AND THE CONSTITUTION OF THIS COMMONWEALTH OF PENNSYLVANIA, AND THAT I WILL DISCHARGE THE DUTIES OF MY APPOINTED OFFICE WITH FIDELITY.

SWORN TO AND SUBSCRIBED BEFORE }
ME THIS 21st DAY OF DECEMBER 2009 }

Mayor Jean O. Davin

COMMITTEE REPORTS

GENERAL GOVERNMENT REPORT

Ms. McDonald said that the Committee met this evening to review and sign bills.

DISCUSSION: None.

POLICE REPORT

Mayor Davin did not have a report.

DISCUSSION: None.

PUBLIC SAFETY

Ms. McDonald reported that the Committee met and interviewed part-time police candidates.

DISCUSSION: None.

COMMUNITY DEVELOPMENT

Mr. Fuller stated that the Committee did not meet.

DISCUSSION: None.

PUBLIC WORKS

Ms. McDonald gave the highlights of the report.

DISCUSSION: None.

COMMUNITY SERVICE REPORT

Mr. Cook read the highlights of the Community Service report.

DISCUSSION: None.

PERSONNEL COMMITTEE

Mr. Hellett said that there are several items being reviewed.

DISCUSSION: None.

PENSION COMMITTEE

Mr. Shultz said that the Committee did not meet.

DISCUSSION: None.

AD HOC

PORT AUTHORITY AGREEMENT COMMITTEE

Mr. Reynolds had no information to impart.

DISCUSSION: None.

EDGEWOOD PRIMARY SCHOOL

Ms. McDonald said that the Committee has not met.

DISCUSSION:

PARCEL D COMMITTEE

Mr. Fuller noted that the Committee did not meet.

DISCUSSION: None.

3 RIVERS WET WEATHER DEMONSTRATION PROJECT

Ms. Schaefer had nothing to report.

DISCUSSION: None.

BOROUGH SOLICITOR REPORT

Mr. Barry had no separate report at this time.

DISCUSSION: None.

BOROUGH MANAGER REPORT

Mr. Cecconi gave an overview of current events.

DISCUSSION: None.

NEW BUSINESS

None.

COMMITTEE ACTION

M-6 Ms. McDonald offered Ordinance 1030 on Third Reading and asked for its immediate adoption. Second by Mr. Cook.

BOROUGH OF EDGEWOOD

ORDINANCE 1030

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR THE FISCAL YEAR 2010

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Edgewood, Commonwealth of Pennsylvania;

SECTION 1: That a tax be and the same is hereby levied on all real property, within said Borough subject to taxation for Borough purposes for the fiscal year 2010 as follows:

Tax rate for general Borough purposes, the total of eight and six hundred sixty-one thousandths (8.661) mills on each thousand dollars of assessed valuation.

1 mill = \$1.00 for every \$1,000 assessment
8.661 mills = \$8.661 for every \$1,000 assessment

SECTION 2: That any ordinance, or part thereof, conflicting with the provisions of this Ordinance be and the same is hereby repealed insofar as the same is affected by this Ordinance.

ORDAINED AND ENACTED into law this 21st day of December 2009.

ATTEST

Warren Cecconi
Borough Secretary

Patricia M. Schaefer
Council President

EXAMINED AND APPROVED by me this 21st day of December 2009.

Jean O. Davin, Mayor

DISCUSSION: None.

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

M-7 The Chair asks, "Shall the Ordinance pass?"

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Shultz, Mr. Reynolds, Mr. Fuller, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Ordinance 1030 Passes.**

M-8 Ms. McDonald moved to accept the letter of resignation of full-time Edgewood Police Officer Timothy Quinn, effective December 21, 2009. Second by Mr. Reynolds.

DISCUSSION: None.

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

M-9 Ms. McDonald read Resolution 2009-36 and asked for its immediate adoption. Second by Mr. Cook.

BOROUGH OF EDGEWOOD

RESOLUTION 2009-36

A RESOLUTION OF THE BOROUGH OF EDGEWOOD IN THE COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING THE SCHEDULE OF CERTAIN FEES ASSOCIATED WITH BOROUGH SERVICES, PERMITS AND LICENSES FOR THE YEAR 2010.

WHEREAS, the various ordinances and codes of the Borough of Edgewood require that fees be established from time to time by the Edgewood Borough Council for services, permits and licenses; and

WHEREAS, such fees shall be set at a rate at which the administrative costs of providing such services, permits and licenses are paid through the assessment of such fees.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Edgewood, Allegheny County Pennsylvania in meeting assembled, and it is hereby resolved by the authority of the same, that the following schedule of fees are hereby adopted.

Sanitary Sewer Certificate	\$25.00
Recycling Bin	\$20.00

ADOPTED THIS 21ST DAY OF DECEMBER 2009 by the Council of the Borough of Edgewood.

ATTEST: BOROUGH OF EDGEWOOD

Warren Cecconi
Borough Manager

Patricia Schaefer
Council President

DISCUSSION: None.

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

M-10 Ms. McDonald moved to hire Gene Chrise as a full-time Police Officer at a starting salary of \$42,221.64. This is 70% of Patrolman's salary, according to contract, contingent on Gene passing a physical and psychological test. Gene will serve a one-year probationary period. Gene is in the top three of our current Civil Service list. Second by Mr. Reynolds.

DISCUSSION: None.

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

At this point, Mayor Davin called Officer Chrise forward to administer the Oath of Office.

COMMONWEALTH OF PENNSYLVANIA

ALLEGHENY COUNTY

OATH OF OFFICE

I, Gene Chrise, do solemnly swear that I will support, obey and defend the Constitution of the United States, and the Constitution of the Commonwealth of Pennsylvania; and that I will discharge the duties of Police Officer for the Borough of Edgewood with fidelity.

SWORN TO AND SUBSCRIBED }
BEFORE ME THIS 21st DAY OF DECEMBER 2009 }

Mayor Jean O. Davin

M-11 Ms. McDonald read Resolution 2009-37 and asked for its immediate adoption. Second by Mr. Fuller.

BOROUGH OF EDGEWOOD

RESOLUTION 2009-37

WHEREAS, pursuant to Title VI of the Communications Act (see 47 U.S.C. § 601 et seq.), the Cable Television Consumer Protection and Competition Act of 1992 and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, Edgewood Borough in Allegheny County is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Borough's jurisdiction; and

WHEREAS, in December 2007, the Borough granted Verizon of Pennsylvania, Inc. ("Verizon") a non-exclusive cable franchise subject to and in accordance with the terms and conditions of a Cable Franchise Agreement ("Agreement"), a copy of which was attached to Resolution 2007-28 and made a part thereof as Exhibit A; and

WHEREAS, the Agreement at Article 6.1 currently provides that Verizon shall pay to the Borough a franchise fee of three percent (3%) of annual Gross Revenue; and

WHEREAS, the Borough is desirous of raising the franchise fee to five percent (5%) of annual Gross Revenue as permitted under applicable law and the provisions contained in Article 6 of the Cable Franchise Agreement in order to offset increased costs and/or decreased income to the Borough in the coming fiscal year(s); and

NOW THEREFORE BE IT RESOLVED by the Edgewood Borough Council as follows:

SECTION 1. Franchise Fee

The Borough hereby increases the franchise fee under the terms of the Agreement with Verizon to five percent (5%) of annual Gross Revenue.

SECTION 2. Other Franchises Unaffected.

Nothing in this Resolution shall alter the terms of any other franchise previously granted by the Borough, each of which shall remain in effect according to their particular terms and conditions, as amended.

SECTION 3. Other Provisions of Agreement Unaffected.

Nothing in this Resolution shall alter the other existing terms of the Agreement with Verizon and those other existing terms and conditions of the Agreement shall remain in effect.

ADOPTED this the 21st day of December 2009 at the meeting of the Council of the Borough of Edgewood.

ATTEST

EDGEWOOD BOROUGH COUNCIL

Warren Cecconi
Borough Secretary

Patricia M. Schaefer
Council President

DISCUSSION: None.

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

M-12 Mr. Reynolds moved to pay estimate #2 (\$3,545.00) and #3 (33,364.74) to SI Contracting as recommended by Lami Grubb in the total amount of \$37,009.74. Second by Mr. Shultz.

DISCUSSION: None.

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

- M-13 Mr. Reynolds moved to approve JMT invoices of August 16, 2009 through October 15, 2009 totaling \$14,212.46. JMT invoice dated October 16, 2009 to November 15, 2009 in the amount of \$2,930.70 and invoices dated November 9, 2009 and December 7, 2009 in the amount of \$17,143.16. Second by Mr. Hellett.

DISCUSSION: Ms. Schaefer asked about evaluation of the plan and Mr. Reynolds said he would like to arrange a meeting with Ms. Showers of JMT.

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

- M-14 Ms. McDonald moved to hire Brian Markus as a part-time Police Officer at an hourly rate of \$11.00 per hour contingent on Brian passing a physical and psychological test. Brian will serve a one-year probationary period. Second by Mr. Fuller.

DISCUSSION: Ms. McDonald noted that the Borough is already down one officer and this position replaces Officer Crow. Officer Chrise moved to full- from part-time.

With regard to Officer Markus, Mayor Davin said that a background check was done with good results. Officer Markus will be mentored by a more experienced officer.

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

ADJOURNMENT

- M-15 Following an Executive Session which lasted until 9:30 PM, Mr. Reynolds moved, and it was seconded by Ms. McDonald, to adjourn this meeting at 9:31 PM.

DISCUSSION: None.

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

Warren Cecconi
Borough Manager

**BOROUGH OF EDGEWOOD
PUBLIC HEARING REGARDING 2010 BUDGET**

President Schaefer called the Public Hearing on the 2010 budget to order on Monday, December 21, 2009 at 6:31 PM in the Municipal Building.

Borough Manager Warren Cecconi called the roll and the following responded: Ms. McDonald, Mr. Shultz (arrived at 6:37 PM), Mr. Reynolds arrived at 6:55 PM), Mr. Fuller, Mr. Cook, Ms. Schaefer.

Mayor Davin (arrived 6:37 PM) and Borough Solicitor Barry were also present as was the Junior Councilperson.

President Schaefer opened the floor for comment and Dr. Wallace of Maple Avenue gave his opinion of the two mill increase, indicating that he is concerned from this point forward as there is a countywide reassessment going on.

Mr. Rockovich of Mifflin Avenue felt that this increase should have been communicated through the newsletter and was interested in alternatives to a tax increase.

Mr. Shepherd of Morris Street spoke of a thirty percent tax increase, stating that this was unconscionable and egregious and said he had no idea this was taking place.

Ms. Felter echoed everyone's sentiment and stated she had no clue about the millage increase.

Adrian Cain of Dewey Street expressed that Edgewood is a great place, but felt that the millage increase was unacceptable and wondered why this information was not in the newsletter so that residents might respond in a timely and responsible way.

Mr. Cain stated that he is confused by Pennsylvania tax laws and expressed his opinion that Council needed to look at its internal processes for relief, including cutting personnel, services and take a methodical and complete look at all systems currently in place.

Mr. Murray of West Swissvale Avenue stated that he heard of the millage increase this date and he concurred with the fact that he felt inadequately informed of this. He asked that this be reduced to one mill.

Mr. Horner of Maple Avenue stated that he appreciates the job which Council does and indicated that he knows the budget was reviewed with a fine-tooth comb, but further stated that he felt that transparency surrounding the budget is not available. He suggested that the budget be placed on the website on a month-to-month basis.

It was Mr. Horner's opinion that a 30% increase is not a good idea and would deter people from coming to Edgewood.

Ms. Felter questioned what will happen when the reassessments are done.

Ms. Schaefer responded to Mr. Rockovich's question of whether the millage had to be voted on tonight by saying that the budget can be reopened.

Mr. Murray asked who from Council will be voting tonight but will not be on Council next year.

Ms. Schaefer spoke to the concerns raised regarding transparency of government and use of the website and newsletter in sharing the budget. She also commented on positions being cut and the staff doing multiple jobs, including cleaning the Borough Building.

Mr. Hellett thanked the audience for coming and explained that they are welcome to attend budget meetings to see how the process works. As for the layoff of employees, Mr. Hellett noted that there are five employees in Public Works to take care of the entire Borough and they are given a living wage. Mr. Hellett also noted that Parcel D has remained unsold due to massive restrictions on the site.

Further participation by the audience stated that the increase should be one instead of two mills. Ms. Schaefer assured the members of the audience that the new Council will take a critical look at the budget process.

Mr. Cain noted that the newsletter should have a section about news such as this and also could be used to keep residents informed in a clear and easily accessible manner.

Dr. Wallace of Maple Avenue related that 78% of the budget was used to cover things in the past and expressed that he does not want to do this going forward.

Ms. McDonald weighed in by stating that the decision to raise the millage was influenced by several factors including operating a full- rather than a part-time police force to give the officers a sense of stability. There was consideration given to raising the cable franchise fee, an item which will not make or break the Borough. Gifts to organizations were also considered for being cut, but Ms. McDonald felt that this would diminish the quality of the neighborhood.

Ms. Schaefer stated that the Council will continue to look at this increase. On behalf of the current and incoming Council, Ms. Schaefer encouraged them to become part of the government or to volunteer.

At 7:59 PM, the Public Hearing was adjourned.