

**BOROUGH OF EDGEWOOD
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**BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
TUESDAY, JANUARY 19, 2010**

President Patricia Schaefer called the Meeting of the Council of the Borough of Edgewood to order on Tuesday, January 19, 2010 at 7:30 PM in the Municipal Building.

Borough Manager Warren Ceconi called the roll and the following responded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer.

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

The Pledge of Allegiance was recited.

ITEMS FROM THE FLOOR

None.

MAYORAL PROCLAMATIONS

Mayor Davin read Proclamations for the outgoing Council to honor them for their service during the last few years.

BOROUGH OF EDGEWOOD

PROCLAMATION 2010-01

WHEREAS, Edgewood Borough depends on its residents to volunteer in various capacities; and

WHEREAS, the volunteers for Edgewood Borough Council will find themselves involved with and reacting to various scenarios which might affect the Borough; and

WHEREAS, Ed Cook has demonstrated his dedication and commitment to the Borough of Edgewood by fulfilling the requirements of the position; and

WHEREAS, Mr. Cook has served over the years, and he has been repeatedly called upon to fill in during various departures from Council beginning in 2000 and continuing through December 2009; and

WHEREAS, Mr. Cook has served Council and its various committees including Public Works, Library, General Government, Edgewood Primary School and Community Service.

NOW, THEREFORE on this the 19th day of January 2010, the Office of the Mayor of the Borough of Edgewood recognizes the contributions of Ed Cook for his many years of stewardship and loyal service to the residents of the Borough and proclaims Thursday, January 21, 2010 as **"ED COOK DAY."**

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 19th day of January 2010.

Jean O. Davin, Mayor

BOROUGH OF EDGEWOOD

PROCLAMATION 2010-02

WHEREAS, the Edgewood Borough Council has a commitment to the residents of the Borough; and

WHEREAS, Benjamin Reynolds became an avid Councilperson in January 2010 and served and contributed willingly to their efforts and those of the Borough residents through December 2009; and

WHEREAS, Mr. Reynolds served two years on Council, and he did so with a remarkable tenacity which endured throughout his tenure; and

WHEREAS, Mr. Reynolds served on the Public Safety, Port Authority, Personnel and Community Development committees and moved forward their particular projects which has been much appreciated.

NOW, THEREFORE on this the 19th day of January 2010, the Office of the Mayor of the Borough of Edgewood recognizes and thanks Benjamin Reynolds for his years of dedicated, loyal and positive service to the Borough and its residents and proclaims Wednesday, January 27, 2010 as **"BENJAMIN REYNOLDS DAY."**

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 19th day of January 2010.

Jean O. Davin, Mayor

BOROUGH OF EDGEWOOD

PROCLAMATION 2010-03

WHEREAS, Edgewood Borough has been fortunate to have George Fuller as a Wilkensburg-Penn Joint Water Authority representative for many years; and

WHEREAS, Edgewood Borough Council was required to fill a vacant Council seat; and

WHEREAS, Mr. Fuller joined Edgewood Borough Council on January 15, 2009 and served on the Planning, Pension, Public Safety and Community Development committees, offering ideas and solutions to the various subjects presented to each of the groups.

NOW, THEREFORE, on this the 19th day of January 2010, the Office of the Mayor of the Borough of Edgewood recognizes the contributions of George Fuller for his tenure on Council and proclaims Tuesday, January 26, 2010 as **"GEORGE FULLER DAY."**

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 19th day of January 2010.

Jean O. Davin, Mayor

BOROUGH OF EDGEWOOD

PROCLAMATION 2010-04

WHEREAS, the Edgewood Borough Council expects that their residents deserve the best, even their volunteers; and

WHEREAS, Eric Shultz showed great enthusiasm and was focused on the problems at hand in the Borough of Edgewood; and

WHEREAS, Mr. Shultz served on the Planning, 3 Rivers Wet Weather Demonstration Project, Council of Government, Community Development, CONNECT, General Government, Library and Pension committees

NOW, THEREFORE, on this the 19th day of January 2010, the Office of the Mayor of the Borough of Edgewood recognizes and thanks Eric Shultz for his interest in, and dedicated and loyal service to, the Borough and its residents, and proclaims Monday, January 25, 2010 as **"ERIC SHULTZ DAY."**

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 19th day of January 2010.

Jean O. Davin, Mayor

BOROUGH OF EDGEWOOD

PROCLAMATION 2010-05

WHEREAS, the Edgewood Borough Council consists of a unique group of volunteers, all being required during their tenure to absorb much protocol, many details, to formulate plans and to map the best strategies for the employees and residents of the Borough; and

WHEREAS, the volunteers who do this are not paid for their services or time spent; and

WHEREAS, Heidi McDonald demonstrated her absolute and total commitment to the Borough of Edgewood by initiating and overseeing the highly successful Junior Councilperson Program; and

WHEREAS, fulfilling the requirements of this position often requires untold numbers of hours to thoroughly research a topic; and

WHEREAS, over her six year tenure, Ms. McDonald also gave service to the various Council committees, including Edgewood Primary School, General Government, Public Works, Public Safety and Community Services and Community Development, also serving as Chair of various committees; and

NOW THEREFORE on this the 19th day of January 2010, the Office of the Mayor of the Borough of Edgewood recognizes the contributions of Heidi McDonald for her six years of committed, dedicated and loyal service to the Borough and proclaims Friday, January 22, 2010 as "HEIDI MC DONALD DAY."

PROCLAIMED at the meeting of the Council of the Borough of Edgewood the 19th day of January 2010.

Jean O. Davin, Mayor

COMMITTEE ACTION

M-1 Ms. Waldock moved to approve the minutes of December 21, 2009. Second by Mr. Hellett.

DISCUSSION: Ms. Waldock asked that instead of recording "items were discussed" that clarification of specifics should be included.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-2 Ms. Gleba moved to approve the minutes of January 4, 2010. Second by Ms. Waldock.

DISCUSSION: Ms. Waldock noted that the Mayor's veto must be placed on record. She then asked if the dates for the Zoning Hearing Board were correct and was answered in the affirmative.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-3 Ms. Waldock moved to approve the minutes of January 11, 2010. Second by Mr. Bowers.

DISCUSSION: Ms. Schaefer stated that prior to adjournment, there was discussion of the budget meeting so that it could be reflected appropriately. **MOTION AMENDED AND RESTATED.**

Following this conversation, the following motion was made:

M-4 Ms. Waldock moved to amend the minutes of January 11, 2010. Second by Mr. Bright.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Solicitor Barry noted that the previous motion was to "amend" the minutes, but did not approve them. The following motion was then made.

M-5 Ms. Waldock moved approve the minutes of January 11, 2010. Second by Mr. Bright.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

M-6 Ms. Gleba 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 \$85,220.78. Second by Ms. Waldock.

DISCUSSION: Mayor Davin questioned why a bill she had submitted did not appear on the bill list and President Schaefer told her this was referred to the General Government Committee.

Ms. Schaefer had a question regarding the Cargill, Inc. bill and Mr. Cecconi explained that the bill was voided and reissued.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

COMMITTEE REPORTS

GENERAL GOVERNMENT REPORT

Ms. Gleba stated that the Committee met today to review bills and discuss the Tax Anticipation Note (TAN). She stated that Mr. Cecconi noted the best option. Ms. Gleba went on to say that there will be another meeting to look at the budget.

Ms. Schaefer stated that the budget was reviewed line by line from both a historical and actual perspective, making an effort to cut expenditures. She stated that the budget will be advertised this week.

DISCUSSION: None.

POLICE REPORT

Mayor Davin gave a review of the monthly report, stating that there are some addition errors for 2009, but that the remainder of the report seems to be in line. The Mayor stated that calls and revenues are down for the year.

Chief Payne reported to the Mayor that there has recently been someone getting into unlocked cars. She reported that Officer Libell observed an actor on Chestnut Street who looked like he was getting into a car and the person took off, but left his knapsack with his ID in the car. Also, Officer Libell got a good look at the actor.

The Mayor then discussed the Citizen's Police Academy, due to begin in February or March. She stated that the Library staff is interested in participating and said information will be placed in the newsletter. She mentioned that a theft ID program is being reviewed. The County has offered to sponsor the program, according to the Mayor.

Mayor Davin asked for a decision from Council concerning the testing for Sergeant, an item which was left over from the last Council. She said the County is asking will we be using their test.

DISCUSSION: Ms. Schaefer said that this topic will be assigned to Public Safety. She then asked the Mayor whether this was for two or one sergeant and the Mayor assumed that it was for one. Ms. Schaefer stated that the financial implications of two sergeants needed to be reviewed.

Mr. Hellett then highly recommended the Citizen's Police Academy to the audience. He stated that this is a good course.

Ms. Schaefer then asked Mr. Cecconi to make sure that the newsletter reported that residents should lock their car doors and should not keep their keys in the car.

PUBLIC SAFETY

Mr. Hellett stated that the Committee did not meet.

DISCUSSION: None.

COMMUNITY DEVELOPMENT

Ms. Waldock said that the Committee did not meet, but will schedule a meeting.

DISCUSSION: None.

PUBLIC WORKS

Mr. Bowers stated that he met with the Public Works employees last Friday and expressed gratitude with what they have done over the last few weeks.

According to Mr. Bowers, the Allegheny County Sanitary Authority will hold a public information meeting regarding the Environmental Protection Agency's Consent Decree and sewer overflows on January 20, 2010 at 10:00.

DISCUSSION: None.

COMMUNITY SERVICE REPORT

Mr. Wilson said that the Committee has not met, but that a meeting will be scheduled.

DISCUSSION: None.

PERSONNEL COMMITTEE

Mr. Hellett stated that the Committee did not meet, but a meeting will be held regarding personnel.

DISCUSSION: None.

PENSION COMMITTEE

Mr. Bright stated that the Committee did not meet, but a meeting will be scheduled soon.

DISCUSSION: None.

AD HOC

PORT AUTHORITY AGREEMENT COMMITTEE

Ms. Schaefer noted that the name of this group has been changed to Comprehensive Plan Committee since working with the eastern corridor involves Swissvale and Rankin. An email has been sent to people who might be interested in the Committee, according to Ms. Schaefer.

DISCUSSION: None.

EDGEWOOD PRIMARY SCHOOL

Ms. Schaefer stated that the Committee will now be known as the Intercouncil Committee, a group that works with sister and brother communities in the Woodland Hills School District regarding problems.

The President stated that Mr. Hellett will be the Council of Governments representative and Mr. Wilson will act as alternate.

DISCUSSION: None.

PARCEL D COMMITTEE

Ms. Schaefer said that this will fall under Community Development.

DISCUSSION: None.

3 RIVERS WET WEATHER DEMONSTRATION PROJECT

Ms. Schaefer stated that this group will meet quarterly and the meetings are usually the fourth Monday.

Regarding the Library Board, Ms. Schaefer noted that Ms. Waldock expressed interest in joining this group. The next meeting is January 28, 2010 at 7:00 PM. Ms. Schaefer noted that one more person from Council is needed for the Board.

DISCUSSION: None.

BOROUGH SOLICITOR REPORT

Mr. Barry reported that if the last three motions and advertisements of this meeting were done in compliance with Section 1011 of the Borough Code, it appears all is in order. He stated that Council would have to waive its own rules to the extent that February 1, 2010 is the passing date.

Regarding the approval of the occupancy permit from the Zoning Hearing meeting, Mr. Barry informed Council that this came as a variance before the Zoning Hearing Board as the section in question says that in the D-7 district you can have retail, including whatever Council approves.

As far as the exoneration goes, Mr. Barry explained to the new members of Council that this represented that the Tax Collector has done her due diligence and is no longer legally responsible for taxes from 2009.

Finally, Mr. Barry spoke about Edgewood Towne Centre and the Train Station preservation. He said that the lease with Port Authority runs through March 16, 2037. Mr. Barry stated that even though Council is not required to get bids, the former Council requested an RFP.

Mr. Barry said that when there are sealed bids, the job goes to the lowest bidder, but in this case, the most financially able group could be picked or negotiations might take place.

He said the proposed use will be evaluated. He said that the Borough has to make sure that it is not going against the lease. If this property becomes publicly owned and used, it would be placed on the tax rolls, according to Mr. Barry.

Ms. Schaefer explained that this will be referred to the General Government and Community Development Committees.

BOROUGH MANAGER REPORT

Ms. Schaefer mentioned a thank you letter from a neighbor for the Public Works Department taking care of her sidewalk.

Mr. Cecconi reported that the Train Station renovations are ready for a walk through to develop a punch list for completion of the project.

The Nine Mile Run Watershed Association is talking about doing a rain garden. Ms. Smith of the Association says this will work, but Mr. Cecconi noted that this will need further discussion.

The Borough Manager stated that he is working on health insurance costs.

Mr. Cecconi reported that the basketball program has 70-80 kids playing and the men's' program has started.

DISCUSSION: Mayor Davin asked if anything is being done with the baggage building at the Train Station and Mr. Cecconi responded that until a use is found for it, it will not be included in this project.

Ms. Schaefer, speaking about the Nine Mile Run rain garden, stated that the funding will come from a grant and the group is looking at the Three Rivers Wet Weather Demonstration Program to see if there is a company that might use this as a prototype for green paving.

NEW BUSINESS

Ms. Waldock asked if a thank you was sent to the Boy Scouts for their donation. She further inquired about Eastern Area Prehospital Services report and asked for an explanation of their legend used in their report. The Mayor answered that these represented calls.

Mr. Hellett set a Public Safety Committee meeting for January 25, 2010 at 7:30 PM and a Personnel Committee meeting February 8 at 7:30 PM.

Mr. Bowers set a Public Works Committee meeting for January 25.

COMMITTEE ACTION

M-7 Ms. Waldock moved to approve the occupancy permit application for Philips Edison for the Fitness Center Health Club in the Edgewood Towne Centre as approved by the Zoning Hearing Board. Second by Mr. Bowers.

DISCUSSION: None.

Ms. Cecil, representative for Phillips Edison, gave background information on Planet Fit. The group will use 26,000 sq. ft. of the 62,000 sq. ft. available in the Busy Beaver location. There are 350 locations, 30 of which are in Pennsylvania. No operation has ever been closed, according to Ms. Cecil. Memberships are either \$10.00 or \$20.00 per month.

Ms. Waldock asked for an updated restriction list and upon the Mayor asking if we are open to restrictions, Ms. Cecil answered in the negative.

Ms. Schaefer shared her appreciation for the Zoning Hearing Board and said the Borough wants to make sure everything is done appropriately.

Mr. Cecconi explained that Council is not opposing the decision of the Zoning Hearing Board to grant the variance, and the ordinance is not being amended.

Ms. Waldock asked if a different gym comes in, would it be amending section "J" of the ordinance.

Ms. Cecil asked how this can be changed and Mr. Barry said that this could be amended and reviewed by Mr. Cecconi, who could arrange to have it advertised.

Ms. Waldock said this was created by commercial lease and is not the Borough's problem.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

- M-8 Ms. Gleba moved to approve the proposed amended 2010 budget with expenditures of \$2,683,646.61 and revenues of \$2,2683,646.61. Second by Mr. Hellett

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

- M-9 Ms. Gleba moved to advertise the Public Hearing on the proposed amended budget for 2010. Second by Ms. Waldock.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

- M-10 Ms. Gleba moved to advertise Millage Ordinance 1031. Second by Mr. Hellett.

BOROUGH OF EDGEWOOD

ORDINANCE 1031

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

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **ORDINANCE 1031 PASSES.**

- M-11 Ms. Gleba read Resolution 2010-17 and asked for its immediate adoption. Second by Mr. Hellett.

BOROUGH OF EDGEWOOD

RESOLUTION 2010-17

WHEREAS, the Borough of Edgewood has an elected Tax Collector, and

WHEREAS, the Tax Collector is charged with the collection of local Borough real estate taxes, and

WHEREAS, the Tax Collector has collected all real estate taxes for the tax year 2009 deemed collectible and desires to officially close her books for the 2009 tax year.

NOW THEREFORE BE IT RESOLVED, that the Edgewood Borough Council hereby exonerates the Tax Collector from the uncollected balance of face value taxes in the amount of \$35,630.97. The Council hereby authorizes Pennsylvania Municipal Services to undertake the procedures necessary to collect this unpaid balance of year 2009 taxes.

ADOPTED THIS THE 19th day of January 2010 by the Council of the Borough of Edgewood.

ATTEST:

Borough Secretary

Council President

EXAMINED AND APPROVED by me this 19th day of January 2010.

Jean O. Davin, Mayor

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **RESOLUTION PASSES.**

M-12 Ms. Gleba moved to authorize a Tax Anticipation Note in the amount of \$350,000 from PNC Bank. Second by Mr. Hellett.

Ms. Schaefer asked if the whole document must be read and was answered in the negative by Solicitor Barry. He stated that it can be read by title only.

BOROUGH OF EDGEWOOD

RESOLUTION 2010-18

AUTHORIZING THE ISSUANCE OF ONE OR MORE TAX AND REVENUE ANTICIPATION NOTES; PROVIDING SECURITY FOR THE FORM OF NOTES; AWARDING THE NOTES AT A NEGOTIATED SALE; PROVIDING SECURITY FOR THE NOTES; APPROVING A CERTIFICATE OF AUTHORIZED OFFICERS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE NOTES; THE FILING REQUIRED BY LAW AND OTHER NECESSARY ACTIONS; PROVIDING FOR REPRESENTATIONS AND COVENANTS REGARDING FEDERAL INCOME TAX MATTERS; DESIGNATING THE NOTES AS QUALIFIED TAX-EXEMPT OBLIGATIONS; AND REPEALING INCONSISTENT RESOLUTIONS.

DISCUSSION: Mr. Cecconi explained that, along with General Government, he sent out an RFP. The one from PNC in the amount of \$350,000 at 2.4% interest was chosen. Early redemption is permitted and this can be paid in its entirety or in part, according to Mr. Cecconi, and no fees are included. The bank will do all DCED filings. With Citizen's Bank, the rate was 2.5% and there was a \$250 document fee.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **RESOLUTION PASSES.**

Ms. Schafer then discussed Committee and Commission appointments, stating that Mr. Cecconi spoke with several people and they are not interested in serving. A list of these names will be supplied to Council. A request for letters of interest will be placed on the marquee. Ms. Schaefer ended by asking Council members if they know anyone who might want to serve, to let the Personnel Committee know.

ADJOURNMENT

M-13 Following an Executive Session which lasted from 9:05 PM to 10:05, Ms. Waldock moved to adjourn the meeting at 10:06. Second by Mr. Bowers.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bright, Mr. Bowers, Ms. Waldock, Mr. Wilson, Ms. Gleba, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Warren Cecconi, Borough Manager