

BOROUGH OF EDGEWOOD
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**BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
MONDAY, SEPTEMBER 20, 2010**

Council President Schaefer called the meeting of Borough Council to order at 7:34 PM in Council Chambers.

Borough Manager Cecconi called the roll and the following responded: Mr. Bright, Mr. Bowers, Ms. Waldock, Ms. Gleba, Ms. Schaefer.

Mr. Hellett and Mr. Wilson were absent.

Mayor Davin and Solicitor Barry were present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PROCLAMATION

Mayor Davin presented Crossing Guard McCartney with the following Proclamation:

BOROUGH OF EDGEWOOD

PROCLAMATION 2010-06

WHEREAS, the early years of a child are entrusted to many people who play an important role in the child's development; and

WHEREAS, the Borough of Edgewood has maintained an active School Crossing Guard staff, whose members serve under the direction of the Police Department; and

WHEREAS, these School Crossing Guards are given the responsibility of affording maximum protection to children going to and returning from school while, directing traffic at assigned intersections or posts;

WHEREAS, Homer McCartney has performed his duties as School Crossing Guard since May 1, 2000 in an exemplary fashion and has decided to resign from the position.

NOW THEREFORE the Borough of Edgewood proclaims September 24, 2010 as "**HOMER MC CARTNEY DAY**" and wishes him well in the future.

PROCLAIMED THIS the 20th day of September 2010.

Jean O. Davin, Mayor

CERTIFICATE OF SERVICE

Ms. Schaefer then presented Mr. McCartney with the following Award from the Council and wished him well:



HOMER **MC CARTNEY**
CROSSING GUARD

CERTIFICATE OF SERVICE
MAY 2000 TO SEPTEMBER 2010

THE COUNCIL OF THE BOROUGH OF EDGEWOOD CONGRATULATES
AND THANKS YOU FOR YOUR MORE THAN 10 YEARS SERVICE TO THE BOROUGH OF
EDGEWOOD AND ITS CHILDREN.

WE WISH YOU WELL IN
YOUR FUTURE ENDEAVORS.

Patricia M. Schaefer, Council President
Jennifer Gleba, President Pro Tem
Gregg Bowers
Jack Wilson

Mal Hellett, Vice President
Jack Bright
Audrey Waldock
Jean O. Davin, Mayor

OATH OF OFFICE

Mayor Davin then called Ms. Brouman forward to swear her in to her position as Junior Councilperson and read the following Oath:

DISCUSSION: Prior to the vote, Ms. Waldock had corrections to the minutes and the motion was amended as follows.

- M-2 Ms. Gleba moved to approve the amended motion to approve the minutes of August 16, 2010 to include corrections of Ms. Waldock.

DISCUSSION: None.

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

- M-3 Ms. Gleba moved to approve the minutes of September 7, 2010. Second by Ms. Waldock.

DISCUSSION: Ms. Schaefer had a correction to the minutes and the motion was amended as follows.

- M-4 Ms. Gleba moved to approve the amended minutes of September 7, 2010. Second by Ms. Waldock.

DISCUSSION: None.

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

Ms. Schaefer offered a point for clarification regarding the Committee of the Whole and whether the minutes should be part of the record and was answered by the Solicitor affirmatively.

- M-5 Ms. Gleba moved to approve the minutes of the August 23, 2010 meeting. Second by Ms. Waldock.

DISCUSSION: Mayor Davin had corrections to the minutes and the motion was amended as follows.

- M-6 Ms. Gleba moved to approve the amended minutes of the August 23, 2010 meeting. Second by Ms. Waldock.

DISCUSSION: None

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

- M-7 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 from the General Fund in the amount of \$56,013.82 and from the Sewer Fund in the amount of \$99,248.97. Second by Ms. Waldock.

DISCUSSION: None.

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

COMMITTEE REPORTS

GENERAL GOVERNMENT

Ms. Gleba said that the Committee briefly this evening and reported that Mr. Kezmarsky, Finance Director, will be attending the next Council meeting. She reported that Mr. Cecconi is currently working through budget items.

Ms. Gleba also reported that an article should be placed in the newsletter about the parking program changes.

Ms. Schaefer said that another discussion of the program will need to occur.

POLICE REPORT

Mayor Davin distributed the monthly report. She compared statistics from last year to this and noted that a significant decrease has occurred in shoplifting. The Part I & Part II crime statistics are lower than the previous two years. There was a dramatic decrease in non-traffic revenue attributable to the way fines are issued.

The Mayor reported that a \$5,000 grant has been awarded for Police Department vests and the grant should be enough to cover all vests needed for this year and next. She noted that the vests are good for five years.

PUBLIC SAFETY

Ms. Waldock reported that the Committee met on September 13, 2010 to discuss an incident which occurred at Edgewood Towne Centre. She stated that the Police Department apprehended the suspects very quickly.

Ms. Schaefer mentioned that she heard positive reports from people outside the community with regard to the Police Department response to the Edgewood Towne Centre incident, as well as Chief Payne's report on television.

COMMUNITY DEVELOPMENT

Ms. Waldock had nothing to report.

Borough Manager Cecconi reported that a motion was on tonight's agenda to appoint three members to the Recreation Advisory Board.

PUBLIC WORKS

Mr. Bowers had nothing to report.

COMMUNITY SERVICE

Mr. Bowers had nothing to report at this time. He did note that he has a copy of the segment aired by Channel 4 from Community Day.

Mr. Bowers reported that the Western PA School for the Deaf (WPSD) will sponsor a Block Party on October 2 from 1:00 to 4:00 PM. The purpose of the affair, according to Mr. Bowers, is about communities coming together. The Party this year has more children's games, including the moonwalk, face painting, clowns and magicians. Aside from WPSD's sponsorship, other community participation includes Wilkinsburg, Edgewood, Swissvale and Channel 4 and TRCIL (Three Rivers Center for Independent Living). Mr. Bowers said there will be a train for the children, along with a car show, a disc jockey and a talent show. An emcee is still needed and three games need adult supervision.

Ms. Schaefer reported that the Newcomer's reception will be held on September 23, 2010 and is an opportunity to meet and let the residents new to the Borough know what the Borough offers. As well, Ms. Schaefer reported that the biannual Wine and Chocolate Affaire will be held November 6, 2010.

Mayor Davin reported that there are currently eighteen RSVP's for the Newcomer's reception.

Mr. Bowers reported that a recent meeting with Edgewood, Swissvale and Wilkinsburg Police Departments and their respective Council representatives was held at Western PA School for the Deaf. Chief Payne talked about the recent Edgewood Towne Centre arrest. Chief Geppert of Swissvale said that the level of cooperation between Edgewood, Swissvale and Wilkinsburg is unmatched.

PERSONNEL

Mr. Bowers stated that he had nothing to report.

Ms. Waldock informed Council that the Edgewood Foundation is now on Facebook.

PENSION

Mr. Bright said that the Committee has not met, but reported that both the defined contribution and defined benefit plans are being looked at. He noted that the pension fund managers are continuing to invest more of the cash into more investments and they are currently looking at adding real estate to the pension fund.

AD HOC

INTERCOUNCIL

Ms. Schaefer said that the group has not met.

3 RIVERS WET WEATHER DEMONSTRATION PROJECT/CONNECT

Ms. Schaefer said there will be an Executive Board meeting and, as well, she will be meeting with Mr. Schombert.

COUNCIL OF GOVERNMENT

Ms. Schaefer noted that a meeting will be coming up this Thursday.

Mr. Bowers noted that Ms. Risko of the University of Pittsburgh did a presentation for WPSD.

SOLICITOR'S REPORT

Mr. Barry had two litigation issues for the Executive Session. He also commented with regard to the Recreation Advisory Board that since he is familiar with the group, Council may want to talk with him about it. He also asked that if the Borough is considering investing pension money in real estate, that he would like to preview the information.

Ms. Schaefer announced that the Executive Session would be held at the end of the current meeting and would involve litigation and personnel.

BOROUGH MANAGER'S REPORT

Mr. Cecconi noted that healthcare plans are being reviewed. He also discussed Act 32 (earned income tax) and said that the key to when the Borough switches is when the school district enters into the contract with Keystone.

According to Mr. Cecconi, he attended a CONNECT meeting with 3 Rivers Wet Weather regarding applying for grants.

The Borough Manager informed Council that Eastern Area Prehospital Services will administer flu shots October 21, 2010 to employees at 9:00 AM. Edgewood residents eighteen years or older will have an opportunity to participate in these free shots on October 28, 2010.

The garbage bids will be opened on September 27, 2010, according to Mr. Cecconi.

NEW BUSINESS

None.

COMMITTEE ACTION

M-8 Ms. Gleba moved to sign the contract with Zambelli Fireworks for fireworks for Community Day in 2011 at the same cost as the 2010 display (\$5,000). Second by Mr. Bowers.

DISCUSSION: A lengthy discussion followed regarding cost of the fireworks vs. sponsorship of the event.

Ms. Schaefer noted that a request for sponsors could be put in place.

Upon roll call vote, the following was recorded. Mr. Bright, Mr. Bowers, Ms. Gleba, Ms. Schaefer voted yes. Ms. Waldock voted no. **Motion carried.**

Ms. Gleba left the meeting at 9:02 PM and did not vote on the following motions.

M-9 Ms. Waldock moved to approve the revised Parking Ordinance 1033 on First Reading. Second by Mr. Bowers.

BOROUGH OF EDGEWOOD

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1033

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA ESTABLISHING RESIDENTIAL PARKING DISTRICTS; AUTHORIZING RESIDENTIAL AND NON-RESIDENTIAL PARKING PERMITS; PROHIBITING PARKING IN A RESIDENTIAL PARKING DISTRICT WITHOUT A PERMIT DURING THE HOURS OF 3 A.M. – 5 A.M. AND REPEALING INCONSISTENT ORDINANCES

WHEREAS, the Council of the Borough of Edgewood is authorized to regulate, restrain or prohibit parking of motor vehicles on public, private and Borough Owned property within the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Council for the Borough of Edgewood, and it is hereby enacted by legal authority of the same:

SECTION 1- DEFINITIONS

For the purpose of this Ordinance, certain words and terms are defined as herein indicated:

- (a) **Administrator** - The Borough Manager of the Borough of Edgewood.
- (b) **Automobile** – Passenger vehicle as defined in Section 102 of the Pennsylvania Motor Vehicle Code Title 75.
- (c) **Commercial Vehicle** - Any motor vehicle registered by the Commonwealth of Pennsylvania as a commercial vehicle and requiring a commercial Driver's License to operate. Types of commercial vehicles include, but are not limited to, the following types of vehicles: trailers, trucks, or other wheeled vehicles used primarily in the furtherance of a business enterprise. This shall apply to any commercial vehicle larger than 7' x 15', but not to exceed 10' x 20'.
- (d) **Company Automobile** – Passenger vehicle as defined in Section 103 of the Pennsylvania Motor Vehicle Code Title 75, used in conjunction with the respective applicant's employer.

- (e) **Household** - Single-family dwelling, townhouse, duplex, individual apartment, individual condominium, and any other residence that requires a separate mailing address.
- (f) **Immediate Family** - Immediate family consists of the Resident's spouse, children, mother, father, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandfather or grandmother.
- (g) **Motorcycle** – A motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.
- (h) **Motor-driven cycle** – A motorcycle, including a motor scooter, with a motor not to exceed five brake horsepower.
- (i) **Recreational Vehicles** – Any camper, trailer, boat or other wheeled vehicle designed to be drawn by passenger automobile, or other vehicle, and not primarily designed for day-to-day passenger transport over the roadways. This shall apply to any such recreational vehicle larger than 7' x 15', but not to exceed 10' x 20'.
- (j) **Registered Vehicle** – A vehicle with a current vehicle registration in accordance with the Pennsylvania Motor Vehicle Code Section 75.
- (k) **Relative** - Immediate family member as defined herein, brother-in-law, sister-in-law, uncle, aunt, first cousin, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter.
- (l) **Resident** – A licensed driver who resides in the Borough of Edgewood and who has an inspected, insured and operable automobile, motorcycle, or motor-driven cycle currently registered in their own name or in the name of a Relative residing at the same address.
- (m) **Residential Parking Permit** – Duly authorized permit from the Borough of Edgewood issued by the Administrator, or his or her designee, to a permit holder allowing on street parking between 3 a.m. and 5 a.m.
- (n) **Non-Resident** - A licensed driver who does not reside in the Borough of Edgewood and who has an inspected, insured and operable vehicle registered in his or her own name.

SECTION 2 – PERMIT REQUIREMENTS

- (a) Resident:
 - (1) Proof of Residency which shall include any two of the following and bearing a Borough of Edgewood address: Tax receipts, utility bill, property closing statement, driver's license, bank statement, lease, vehicle registration, or deed;
 - (2) Verification of car ownership and/or specific written permission to operate a company automobile;
 - (3) Payment of the permit fee in full;
 - (4) Proof of current registration;
 - (5) Proof of current insurance;
 - (6) Proof of valid driver's license.
- (b) Caregiver:

- (1) Residents, or non-residents who have dependents living in the Borough, requiring the services of a care giver (i.e. hospice, home health services, senior care, nanny/childcare) during the 3 a.m. – 5 a.m. parking permitted period may apply for a "Visitor" permit.
- (2) One such permit may be purchased at the Resident parking fee rate and will be issued for one year to the Resident as a "Visitor."
- (3) The Borough Resident must provide proof of residency.

SECTION 3 – PERMIT EXCEPTION

(i) – Overnight Guests

- (a) Households will be allowed on street parking, for a guest for parking between 3 a.m. and 5 a.m., with a visitor's permit.

(ii) – Company Automobile

- (a) Where a resident utilizes a company automobile and wishes to apply for an on street parking permit for said vehicle an exception shall be made to allow for the application for a parking permit.

(b) This exception shall be limited to only one (1) company automobile per Household.

(c) Under this exception, company automobiles will be assigned to park in a Borough parking lot if space is available. Efforts will be made to provide a space most proximate to the Resident co-signer's address. Company automobiles assigned to a lot must park in the assigned lot or will be subject to ticketing, regardless of obtaining a permit.

(d) In the event that the lot for which a Resident, who has not exceeded the permit limit, applies is at capacity and there are excepted company automobiles that have been permitted to park in that lot, the excepted company automobile will be reassigned to either another lot (if space is available), or to park on an eligible street.

SECTION 4 – PERMIT ADMINISTRATION

- (a) All permits shall be purchased each year by December 31 of current year. After June 30th of current year new residents may purchase a permit at one half of yearly cost.
- b) The permit shall be displayed on the Registered Vehicle in an area, as determined by the Administrator, so as to be readily visible from the street.

SECTION 5- PERMIT FEES

- (a) All fees for an on-street and Borough lot parking permits will be established by Resolution by the Edgewood Borough Council.

SECTION 6 – PERMIT PROVISIONS

- (a) To park on a street, where it is legally permissible to do so, between 3 a.m. – 5 a.m., requires a permit.
- (b) Permits will be limited to one (1) permit per Resident per corresponding Registered Vehicle for either an on-street or Borough lot permit. However if there are unused spaces in a Borough lot a resident can also buy a second permit for the lot.

- (c) On-street parking permits are non-transferable.
- (d) All on-street parking permits are issued for one year from January 1st – December 31st.
- (e) Care Giver on-street parking permits are non-transferable between Households. However, Care Giver on-street parking permits may be transferred between Care givers providing such service at a given Household.

SECTION 7 – BOROUGH PARKING LOTS

- (a) Borough residential parking lot permits will be provided on a first-come, first-serve basis.
- (b) Every Resident, not exceeding the limit established in Section 6(b) of this ordinance, will have the opportunity to apply for at least one (1) parking permit for a space in a Borough lot.
- (c) Application must be made for the lot that is geographically closest to the Resident's Household.
- (d) The deadline to apply for a Borough lot parking space is November 20th at 5:00 p.m. of every year. In the event that November 20th is on a weekend, the application must be completed and delivered to the Borough Building by 5:00 p.m. of the first business day that follows.
- (e) If there are more spaces available in a given lot than applications for permits to park in that lot, up to two (2) spaces may be provided per Household.
- (f) Spaces in lots will be numbered and permits will authorize the recipient of a permit to park only in the specified numbered space assigned by the Administrator, or his or her designee.
- (g) In the event that there are more permit applications than available spaces for a given lot, a lottery, overseen by the Administrator, or his or her designee, will be held on December 1st at 9:00 a.m. In the event that December 1st is on a weekend, the lottery will be held at 9:00 a.m. on the first business day that follows.
- (h) In the event that a lottery is necessary for a given lot, then only one (1) space can be provided per Household for that lot.
- (i) All Borough residential parking lot permits are issued for one (1) year from January 1st – December 31st.
- (j) In the event that the lot for which a Resident applies is at capacity and there are no non-residents who have been permitted to park in that lot, the Resident may apply for a space in the next closest lot, which has a vacancy.
- (k) In the event that the lot for which a Resident applies is at capacity and there are non-residents who have been permitted to park in that lot, a non-resident parking in that lot will be reassigned to either another lot (if space is available), or to park on an eligible street. Priority is to be given to Edgewood residents.
- (l) Parking lot permits are not transferable. A permit allows for eligibility to park only in the lot to which the permit is assigned.

SECTION 8 - COMMERCIAL OR RECREATIONAL VEHICLES IN BOROUGH LOTS

- (a) The Borough will issue a total of ten (10) permits for Commercial or Recreational Vehicles, allowing parking only in the lot on Race Street behind the Borough building.
- (b) A Resident may apply for a Commercial or Recreational Vehicle permit subject to availability.
- (c) If there are more applications than available spaces, a lottery, exactly as described in Section 7 (g) will be held.

SECTION 9 – INITIAL ADMINISTRATION

- (a) The initial deadline to apply for a Borough lot parking space is 5:00 p.m. of the 20th of the month following the adoption of the ordinance. In the event that the 20th day following adoption of this ordinance is on a weekend, the application must be completed and delivered to the Borough Building by 5:00 p.m. of the first business day that follows.
- (b) In the event that during initial administration there are more permit applications than available spaces for a given lot, a lottery, overseen by the Administrator, or his or her designee, will be held at 9:00 a.m. on the 10th day following the initial deadline to apply for a Borough lot parking space. In the event that the 10th day following the initial deadline to apply for a Borough lot parking space is on a weekend, the lottery will be held at 9:00 a.m. on the first business day that follows.

SECTION 10 - INCONSISTENCY OR ILLEGALITY

- (a) All Ordinances, or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
- (b) If any sentence, clause, section, or part of this Ordinance is determined, by a court of competent jurisdiction, to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance.
- (c) It is hereby declared as the intent of Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED AND ENACTED this ____ day of _____.

ATTEST:

BOROUGH OF EDGEWOOD

Warren Cecconi
Borough Manager

Patricia M. Schaefer
President of Council

EXAMINED AND APPROVED by me this ____ day of _____.

Jean O. Davin, Mayor

DISCUSSION: None.

Upon roll call vote, the following was recorded. Mr. Bright, Mr. Bowers, Ms. Waldock, Ms. Schaefer voted yes. **First Reading Passes.**

- M-10 Ms. Waldock moved to approve the revised parking ordinance on Second Reading (Title Only). Second by Mr. Bowers.

BOROUGH OF EDGEWOOD

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1033

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA ESTABLISHING RESIDENTIAL PARKING DISTRICTS; AUTHORIZING RESIDENTIAL AND NON-RESIDENTIAL PARKING PERMITS; PROHIBITING PARKING IN A RESIDENTIAL PARKING DISTRICT WITHOUT A PERMIT DURING THE HOURS OF 3 A.M. – 5 A.M. AND REPEALING INCONSISTENT ORDINANCES

DISCUSSION: None.

Upon roll call vote, the following was recorded. Mr. Bright, Mr. Bowers, Ms. Waldock, Ms. Schaefer voted yes. **Second Reading Passes.**

- M-11 Mr. Bowers moved to appoint Michael Hooks, Lisa Bush and Matt Lehrian to the Recreation Advisory Board. Second by Ms. Waldock.

DISCUSSION: None.

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

- M-12 Ms. Waldock moved to accept the \$5,000 grant for police vests and to sign the contract. Second by Mr. Bowers.

DISCUSSION: None.

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

ADJOURNMENT

M-13 Following an Executive Session which lasted from 9:05 PM to 9:58 PM, it was moved by Ms. Waldock and seconded by Mr. Bright to adjourn this meeting at 10:10 PM.

DISCUSSION: None.

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

Warren Cecconi, Borough Manager