

BOROUGH OF EDGEWOOD
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OCTOBER 4, 2010

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**BOROUGH OF EDGEWOOD
MINUTES OF MEETING HELD
OCTOBER 4, 2010**

Council Vice President Hellett called the Meeting of the Borough of Edgewood to order on Monday, October 4, 2010 at 7:35 PM in the Municipal Building.

ROLL CALL

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

Mayor Jean O. Davin and Solicitor W. Timothy Barry were present. Ms. Brouman, the Junior Councilperson, was absent.

PLEDGE

The Pledge of Allegiance was recited.

ITEMS FROM THE FLOOR

A visitor from the Nine Mile Run Watershed Association explained that he was in attendance to observe the flexi-pave demonstration.

District Justice Caulfield thanked Borough Manager Cecconi for supplying the Borough ordinances. Mr. Caulfield said that the Edgewood Police Department was easy to deal with.

AUTHORIZATION TO PAY BILLS

M-1 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 \$148,435.78 from the General Fund and \$3,106.63 from the Sewer Fund. Second by Ms. Waldock.

DISCUSSION: None.

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

COMMITTEE ACTION

M-2 Mr. Hellett read Ordinance 1033 on Third and Final Reading (By Title Only) and asked for its immediate adoption. 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: The Mayor made changes to the Ordinance under Section 2 – Permit Requirements, (b) and (c). She also had changes to Section 4 – Permit Administration (a), (b) and (c).

A very lengthy discussion ensued regarding visitors, parking in other areas, and defining exceptions.

At this point, it was decided to put a temporary hold on the issue.

M-3 Mr. Bowers moved to allow a sidewalk demonstration project using flexi-pave, under the sponsorship of 9 Mile Run Watershed Association, to determine whether to allow Borough-approved alternative sidewalk materials. The Borough reserves the right to enforce, repeal and/or amend its ordinance. Second by Mr. Bright.

DISCUSSION: Mr. Cecconi did a demonstration by pouring water into the flexi-pave and gave an explanation of how this works. He stated that the material was first used down South and has been used in Maine and worked very well. Mr. Cecconi shared that a base is placed beneath the flexi-pave.

Extensive discussion ensued.

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

Ms. Schaefer charged the Public Works Committee with working through this issue.

VOLUNTEER FIRE DEPARTMENT

Mr. Halle apologized for his absence and explained that he has been taking water rescue training. He said that Community Day was a huge success.

The Fire Department handled 37 calls in August, 11 of which involved the Quick Response Service (QRS). Mr. Halle said that nine of the Department's members have attended Hazmat training and one member is currently in an EMT class.

The Fire Department participated in the Sleepover in the Park by lighting the fire which was used during the night.

Mr. Bowers thanked and expressed his appreciation from him and the staff for a situation which occurred at the Western PA School for the Deaf.

Mr. Halle said that the response time is less than a minute.

Ms. Waldock stated that she has received no alerts from the Nixle system and requested that Chief Andrews put the system online.

Ms. Schaefer thought that a meeting with the Public Safety Committee, Mr. Halle, Chief Andrews, Mr. Cecconi would allow everyone to get on the same page and would allow the system to be used more effectively.

According to Mr. Halle, there will be hay rides on the last two Saturdays in October.

WATER AUTHORITY REPORT

Mr. Fuller announced that the Wilkesburg Penn Joint Water Authority new website is www.wpjwa.com.

The union contract will expire in December.

A test run on the filtration plant was done on September 25, 2010, according to Mr. Fuller.

RECREATION REPORT

Mr. Cecconi noted that the next program for Recreation is basketball. He also reported that there will not be a haunted house for Halloween.

On questioning by Ms. Schaefer, the Mayor reported that Halloween would be held from 6:00 to 8:00 PM on October 31, 2010.

PLANNING COMMISSION

Ms. Waldock had nothing to report. However, she reported having received a request for someone interested in joining the Commission, Mr. Van Soest.

COG REPORT

Mr. Hellett reported that no one attended the meeting.

Ms. Schaefer said that fees were set for Right-to-Know requests.

LIBRARY REPORT

Ms. Waldock noted that the Board met last Thursday. She stated that the appeals letter has been sent to Edgewood and Forest Hills residents. There will be a Pittsburgh Day of Giving on October 13, of which the Library is part.

Ms. Waldock stated that the Library is on budget. There are three people who are under health insurance and that insurance has seen a 9% increase. The employees pay 20% of the premium. She also noted that employee health insurance premium contributions will increase 25% in 2011.

SOLICITOR'S REPORT

Mr. Barry said that the Executive Session would involve two litigation issues with no action following.

BOROUGH MANAGER'S REPORT

Mr. Cecconi reminded Council of the flu shots which will be given October 21 for employees of the Borough and October 28 from 6:00 PM to 8:00 PM for residents.

Mr. Cecconi also reported on the low bidder for garbage, Waste Management, as well as tax collection, 9 Mile Run issues and the mailing of the final 22 sidewalk letters to Maple Avenue residents.

Ms. Waldock noted that the school guard contract expires at the end of December.

NEW BUSINESS

M-4 Ms. Waldock moved to appoint Skylar Van Soest to a position on the Planning Commission to expire on December 31, 2014. Second by Mr. Bowers.

DISCUSSION: A letter of interest was submitted. Mayor Davin mentioned that Mr. Van Soest was instrumental in putting together a Block Party.

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

A discussion of the garbage bids ensued and Solicitor Barry indicated that Waste Management appeared to be the lowest bidder.

Mr. Kezmarsky gave a short presentation on the financial state of the Borough.

Budget meetings were then set for November 13, 2010 from 8:00 AM to 12:00 PM and November 22, 2010 from 7:00 PM to 10:00 PM. Ms. Schaefer asked that the information be placed in the newsletter and on the website and that the meetings be advertised in the paper.

At 9:38 PM, Ms. Gleba left the meeting.

Attention then turned again to the parking ordinance and prior to a motion to pass the ordinance, Mayor Davin had corrections.

M-5 Mr. Hellett read Ordinance 1033 on Third and Final Reading, with corrections. 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) One visitor permit may be purchased at the Resident Parking Fee Rate and will be issued to the resident for his/her visitors.
- (c) The visitor permits are hanging placards which shall be placed on the inside rear-view mirror and are reusable all year long.
- (d) 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 for the following year shall be purchased by current residents by December 31st of current year. There is no discounted rate for current residents, regardless of when permit is purchased.

- (b) However, a resident who purchases a permit after June 30 may purchase a permit at one-half of the yearly cost.
- (c) 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 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 4th day of October.

ATTEST:

BOROUGH OF EDGEWOOD

Warren Cecconi
Borough Manager

Patricia M. Schaefer
President of Council

EXAMINED AND APPROVED by me this 4th day of October 2010.

Jean O. Davin
Mayor

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Bowers, Mr. Bright, Mr. Hellett, Ms. Waldock, Mr. Wilson voted yes. Ms. Schaefer voted no. Ms. Gleba was absent. **Third Reading Passes.**

M-6 The Chair asks, "Shall the Ordinance Pass?"

Upon roll call vote, the following was recorded: Mr. Bowers, Mr. Bright, Mr. Hellett, Ms. Waldock, Mr. Wilson voted yes. Ms. Schaefer voted no. Ms. Gleba was absent. **Ordinance 1033 Passes.**

Meetings were set as follows: Public Safety – October 11 at 6:00 PM; Public Works – October 11 at 8:00 PM and Personnel – October 18.

ADJOURNMENT

M-7 Following an Executive Session which lasted from 10:00 PM to 10:44 PM, it was moved by Ms. Waldock and seconded by Mr. Wilson to adjourn this meeting at 10:45 PM.

DISCUSSION: None.

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

Warren Cecconi

