

BOROUGH OF EDGEWOOD  
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**BOROUGH OF EDGEWOOD**  
**MINUTES OF THE COUNCIL MEETING OF AUGUST 15, 2011**

**CALL TO ORDER**

Vice- President Waldock called the meeting of the Borough of Edgewood to order at 7:31 PM in the Municipal Building.

**ROLL CALL**

Upon roll call, the following responded: Mr. Bright, Mr. Bowers, Ms. Waldock, Ms. Gleba, and Mr. Fuller . Ms. Schaefer and Mr. Wilson were absent

Mayor Hellett and Solicitor Wornor were also present.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ITEMS FROM THE FLOOR**

Vice-President Waldock stated that she believed many residents in attendance had concerns with the Sunoco station. Before she called for items from the floor, Vice-President Waldock stated that this property was zoned D-6. She stated that this allows for about 20 different permitted uses. She stated that the zoning ordinance specifies only that restaurants and transitional housing require a presentation to the zoning hearing board. Vice-President Waldock stated that Council does not get to determine what businesses open in Edgewood, and their job is simply to make sure that the businesses are in compliance with the zoning ordinance.

**Andrew Lang -1212 East End Avenue**

Mr. Lang stated that he was a member of the Regent Square Civic Association, and the only member from Edgewood Borough. He stated that the Association had drafted a letter expressing their concerns over changes that might occur at the Sunoco station. Mr. Lang stated that the Association wants certain characteristics of the community to be preserved. He stated that the Association understands that nothing has been determined yet, but that they still have some concerns. As a resident of East End Avenue, Mr. Lang stated that he understands his dead end road is not really a dead end, and that any new business development would make the road more traveled as people learn it is a back roadway, and that this could be a concern. Mr. Lang also stated that he has concerns about hours of operation for any new business, as the current Sunoco is not open at night. Mr. Lang stated that it would be a shame to have a 24/7 business move in simply for the interest of the business and not the residents.

**Cathy Brennan -1210 East End Avenue**

Ms. Brennan stated that she has lived at her current home since 1998, and that her mother and father are from Regent Square. Ms. Brennan stated that she considers Regent Square to be one of the finest areas in Pittsburgh, and that it consists of unique restaurants and Frick Park, one of the finest urban parks. Ms. Brennan stated that the area is a real neighborhood where residents know their neighbors, sit on porches in the evenings together and watch each other's children grow up. Ms. Brennan stated that this is a rarity in our country. She stated that she

understands the zoning ordinance, but hopes Council does whatever is in their power to preserve the uniqueness and specialness of the area. Ms. Brennan stated that she believes impersonal businesses would create more traffic, pollution, and take away from the community.

**Dino DeFlavio –Cibo Restaurant**

Mr. DeFlavio stated that he has been a business owner in Regent Square for 31 years, and in that time has seen and contributed to the area's transition, and that he believes it has been a grand transition. Mr. DeFlavio stated that Pittsburgh is somewhere special –the nation's most livable city –and that Regent Square helps to make the city special. Mr. DeFlavio stated that he has talked to local police officers about the calls and aggravation at the Penn Avenue GetGo gas station in Wilkinsburg, and that he believes the same will happen if a GetGo opens in Edgewood. Mr. DeFlavio stated that he hopes this is taken into consideration when deciding the hours of operation for the new business. He hopes that everyone can keep the Square a special place.

**Tricia Wood -1042 East End Avenue**

Ms. Wood stated that she lives directly behind the Sunoco gas station, and that she would be directly affected by any changes made to the property. While Ms. Wood would personally be affected, she stated that she is more concerned with the impact a new business would have on the community as a whole. Ms. Wood stated that a GetGo gas station would change the whole dynamic of the community. Ms. Wood stated that irresponsible development can cause irrevocable damage to a community. She stated that she believes we all want to preserve the feel and history of the area.

**Ms. Lilliana -471 Allenby Avenue**

Ms. Lilliana stated that her house is the last house on Allenby Avenue, and is next door to a house owned by the Allegheny County Housing Authority. She stated that the tenants in this home have been causing significant problems, particularly with parking in Ms. Lilliana's driveway and with buses backing up into her yard. She asked if Council could help with talking with the Housing Authority about controlling the tenants at this property, or possibly purchasing the house.

Vice-President Waldock asked for more detail about the type of buses that were at the neighbor's property.

Ms. Lilliana stated that she was referring to school buses, and because Allenby is a dead end that leads to a driveway, the buses have to back up which causes loud beeping and that the buses end up pulling onto her property.

Vice-President Waldock suggested speaking with the school board about the buses, since they have control over school buses and the Council does not.

Mayor Hellett stated that he would contact the school board on the resident's behalf, and asked Chief Payne why school buses would be going to the house rather than children walking to a bus stop.

Chief Payne stated that he has no control over school buses or their route, but that perhaps a special needs child lived in the house, in which case the school bus would pick up and drop off the child at the front door.

Vice-President Waldock asked Ms. Lilliana what parking issues had been occurring.

Ms. Lilliana stated that because the street is almost a driveway, in order to park so that other cars can get by, her neighbors end up parking on her property. Ms. Lilliana stated that the neighbors also use her property to turn around vehicles. She stated that garbage cans are left in the middle of the driveway. She stated that while these complaints may sound trite, it's aggravating when you have to deal with them daily or can't pull into your own driveway.

Vice-President Waldock stated that the Council could help with parking problems, and asked Mayor Hellett and Chief Payne to take a look at the street and its parking.

Ms. Lilliana stated that she has received no help when contacting the Housing Authority about these problems. She doesn't want to call the police every time her neighbors park on her property because she would be calling daily.

Mayor Hellett stated that he and Chief Payne would take a look at the logistics of the two properties and determine what was going on, but told Ms. Lilliana to keep calling to police when there's an issue, because the only way the authorities know about the problem is if she makes her concerns known.

Vice-President Waldock stated that the Housing Authority property is privately owned, and so there is only a certain amount that the Council can do. Issues such as garbage cans or other code issues can be dealt with, and she encouraged Ms. Lilliana to call the Borough office when this occurs, and the code enforcement officer will investigate

Ms. Lilliana stated that this is all she wants, she just didn't know where to turn for help.

Mayor Hellett stated that Manager Cecconi is the man with all the answers, and that any time Ms. Lilliana has a problem she shouldn't hesitate to call the Borough building.

Vice-President Waldock stated that Ms. Lilliana should not be afraid to call 911 when there is an issue. She stated that this is the police dispatch number, and that it is a service Ms. Lilliana pays for as a taxpayer, and that she should use it.

Chief Payne stated that under the new 911 system, the call taker puts the callers information onto a computer system, which Edgewood Police Officers have access to in their police vehicles, so that they can see the calls immediately, which means the officers could be on their way before the caller has hung up with 911 dispatch. Chief Payne stated that if residents don't call, the officers don't know that there's an issue. He stated that the police officers are there to serve the residents, and that they should call if there's an issue.

**M-1 Ms. Gleba moved to approve the minutes of July 18, 2011, Second by Mr. Bright.**

DISCUSSION: None.

Vice-President Waldock asked that all those in favor of the motion signify by responding "aye" and those opposed signify by responding "nay." **Motion carried 5-0.**

**M-2 Ms. Gleba moved to approve the minutes of August 1, 2011, as amended, Second by Mr. Fuller.**

DISCUSSION: None

Vice-President Waldock asked that all those in favor of the motion signify by responding "aye" and those opposed signify by responding "nay." Motion carried 5-0.

- M-3 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 \$27,195.61 and from the Sewer Fund in the amount of \$96,276.20 for a total of \$123,471.81, Second by Mr. Bright.

DISCUSSION: None

Vice-President Waldock asked that all those in favor of the motion signify by responding "aye" and those opposed signify by responding "nay." Motion carried 5-0.

#### COMMITTEE ACTION

##### **Civil Service Rules and Regulations**

Ms. Neff stated that changes to the Civil Service Rules and Regulations were distributed to Council. She stated that most changes were made by Solicitor Barry, and that she doesn't know if there's a lot of discussion needed. Ms. Neff said that the only concern, which was addressed on the document's cover letter, was that there had been discussion about changing the passing grade needed on the exam from 75 to 70, and that the Civil Service Committee does not support this change.

Solicitor Womer stated that the document distributed appears to encapsulate all the changes he and Solicitor Barry suggested. Solicitor Womer expressed some concern over Section 5.6(A), which addresses who is eligible for an oral examination. As written, the section includes Veteran's Preference. Solicitor Womer stated that Veteran's Preference is not applied before the oral examination, but rather at the very end of the process.

Vice-President Waldock asked if the rules should state that Veteran's Preference points are added at the end of the process.

Solicitor Womer stated that this is already written into the document, and required by state law. He said that besides this one correction, the document looks great, and that from a legal standpoint, Solicitor Womer recommended that Council approve the changes.

Vice-President Waldock stated that Council had previously discussed changing the passing grade from 75 to 70, and that there was a consensus to stay at 75.

#### COMMITTEE REPORTS

##### **GENERAL GOVERNMENT**

Ms. Gleba reported that the Borough's revenues and expenses were where they needed to be, and that nothing had changed in the Borough's finances.

Ms. Gleba reported that a committee of the whole meeting took place prior to the start of the council meeting, and proposals were heard for delinquent real estate tax collection, and that the Borough was ready to begin moving on the topic.

**POLICE REPORT**

Mayor Hellett reported that the police department was doing an excellent job under the direction of Chief Payne.

Mayor Hellett read the highlights of the report and explained the categories and statistics on the report.

Mr. Bowers stated that the decline in shoplifting in the Borough was great improvement.

Chief Payne reported that school will start on August 22, 2011, and that the Borough was notified on Friday that starting times would be different this year. School would start at 7:45 AM and dismiss at 2:45 PM. Chief Payne stated that Edgewood Borough crossing guards start at 7:30 AM, and so the new times would not be a problem. Chief Payne said he would be meeting with all the crossing guards on Wednesday August 24<sup>th</sup> in order to make sure everyone was on the same page for the start of school.

**PUBLIC SAFETY**

Ms. Waldock reported that with the decline in crime rates, the public safety committee had nothing to report.

Mayor Hellett stated that the increase in the starting salary for part time officers has had a huge effect on the quality of recruits.

Chief Payne stated that the hiring of part time officers may be needed, as two of the current part time officers were being considered for full time positions with the Wilkesburg Police Department. Chief Payne emphasized that nothing was yet determined, but interviews would begin if need be.

**COMMUNITY DEVELOPMENT**

Mr. Fuller had nothing to report.

**PUBLIC WORKS**

Mr. Fuller had nothing to report.

**PERSONNEL**

Mr. Bowers had nothing to report.

**PENSION**

Mr. Bright had nothing to report.

**AD HOC COMMITTEES**

**INTERCOUNCIL**

There was no report.

**COMMUNITY SERVICE**

Vice-President Waldock stated Community Day preparations would be addressed in the Manager's Report.

**3 RIVERS WET WEATHER DEMONSTRATION PROJECT/CONNECT**

There was no report.

**SOLICITOR'S REPORT**

Solicitor Womer distributed a letter to Council from the law offices of Ira Weiss. Solicitor Womer wanted to update council on the status of Allegheny County's real estate reassessment. The letter stated that the County would not certify property assessments until April 2012. Solicitor Womer stated that if this happened, delays would occur in the collection of real estate tax, and that the letter states municipalities might have to take a Tax Anticipation Note (TAN) loan because of this. Solicitor Womer emphasized that this is not just an issue for Edgewood Borough, but a countywide problem. Solicitor Womer said that Judge Wettick holds the ultimate authority in this case. Solicitor Womer said that talks would begin later about what would need to be done if the assessments are not released until late, and that he just wanted to update Council on the status.

Manager Cecconi asked if the state legislature would have to pass special legislation allowing municipalities to reopen their budget to set the millage rate if the assessments were not released until the spring of 2012.

Solicitor Womer stated that they would.

Vice-President Waldock said the county representative and Representative Costa should be contacted and told that this is not acceptable government.

Ms. Gleba stated that if a TAN loan needs to be taken because of this, it could be tens of thousands of dollars.

Solicitor Womer said that it remains to be seen if there are other options available to municipalities, but that it would be researched if necessary. Solicitor Womer stated that the County claims it doesn't have the manpower to get the reassessments completed.

Ms. Gleba asked if Judge Wettick could find the County in contempt of court for not having the reassessments done on time.

Solicitor Womer reported that he could, and that the County would need to have a very good reason to not have the reassessments completed.

**BOROUGH MANAGER'S REPORT**

Manager Cecconi stated that movie nights were now over for the summer, and that discussion is needed about the advertising of movie nights in the future.

Manager Cecconi reported that 66 properties were posted as delinquent sewer accounts, and that the Borough now posts properties twice a year.

Manager Cecconi said that State Pipe was still working to clean pipes, and that when their work was completed it would provide a good idea of what the storm sewers look like.

Manager Cecconi said that tree trimming would begin on East End Avenue in September, and that this project would take the majority of the tree trimming budget.

Manager Cecconi stated that a review of the installation methods for the Borough building's windows would take place.

Manager Cecconi stated that he attended a meeting on construction work to be completed on the Squirrel Hill Tunnels. He reported that this project would span two construction seasons, and over that period eight total weekend closures of the Tunnels would occur per construction season. These closures would have traffic rerouted onto Braddock Avenue.

Ms. Gleba asked if PENNDOT would be providing anything to the Borough for the closures.

Manager Cecconi stated that PENNDOT would only provide work on the areas directly included in the detours, and that they had paved Braddock Avenue the last time the Tunnels were closed, so they would not be doing it again. Manager Cecconi stated that PENNDOT would obviously be responsible for any damage to the roads due to the detour.

Manager Cecconi reported that plans were in place for the August 27<sup>th</sup> Community Day. Manager Cecconi stated that the Edgewood Foundation has a full day's worth of activities prepared. Manager Cecconi said Koenig Field would have a roped off safety zone during fireworks to keep people back further.

Mayor Hellett asked if a fall movie night was planned.

Manager Cecconi stated that a Halloween movie night was planned, and that the Edgewood Foundation was having two fall events at Koenig Field.

## NEW BUSINESS

## COMMITTEE ACTION

- M-4 Mr. Bowers moved to amend and restate the rules and regulations of the Borough of Edgewood Civil Service Commission as approved and proposed by the Borough of Edgewood Civil Service Commission, except that Section 5.6(a) shall be amended to state that "Every applicant who passes both the written examination and the physical agility test shall be given an oral examination by the Oral Examination Board," Second by Mr. Fuller.



DISCUSSION: Ms. Neff wanted to be certain that the percentages for passing rates were listed as 75, and not as 70.

Vice President Waldock stated that on Council's copy, it was listed as 75.

Vice-President Waldock asked that all those in favor of the motion signify by responding "aye" and those opposed signify by responding "nay." Motion carried 5-0.

Vice-President Waldock thanked the Civil Service Commission for keeping on Council about this update.

Ms. Neff stated that the next step she would like to see is the completion of an eligibility list, and said that the lack of an eligibility list makes some members nervous.

**M-5 Ms. Gleba moved to authorize the borough manager and solicitor to prepare an ordinance authorizing, assessing, imposing, ratifying and adopting a schedule of attorney fees to be assessed in the collection of all delinquent accounts for which a municipal claim may be lawfully imposed or assessed on any property in this commonwealth by the Borough of Edgewood; providing for notice before assessing fees; authorizing, assessing, ratifying and imposing a penalty of five percent (5%) of the amount of any delinquent account as a penalty for the nonpayment thereof on all municipal claims which may be lawfully imposed or assessed on any property in this commonwealth by the Borough of Edgewood; authorizing, assessing, ratifying and imposing interest on all municipal claims which may be lawfully imposed or assessed on property in this commonwealth by the Borough of Edgewood; providing a savings clause; repealing inconsistent ordinance or parts; and including an effective date, Second by Mr. Bowers.**

DISCUSSION: Vice-President Waldock asked if Solicitor Womer had any comments.

Solicitor Womer stated that the motion was fine, just specific.

Manager Cecconi stated that the problem with the ordinance is that it includes percentages, and the firms who made proposals to the committee of the whole used dollar amounts. He said that he doesn't know if Council can pass an Act 20 ordinance without set fees, and that the ordinance should probably set fees as well as include the collector the Borough will use. Manager Cecconi asked Solicitor Womer if Council could pass the Act 20 ordinance and then set fees by resolution.

Vice-President Waldock stated that including fees in the ordinance would require Council to change the ordinance every time they changed vendors.

Solicitor Womer stated his belief that the Borough could pass the fees by resolution, and that he would look into the matter. Solicitor Womer asked if the Borough passed a fee schedule every year.

Vice-President Waldock stated that they do. She said that the current motion just needs to authorize the manager to prepare an ordinance.

Vice-President Waldock asked that all those in favor of the motion signify by responding "aye" and those opposed signify by responding "nay." Motion carried 5-0.

Vice-President Waldock asked that the solicitor and manager work together to allow Council to move on this matter, and stated Council's preference to pass the fees by resolution.

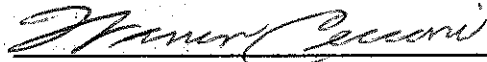
**EXECUTIVE SESSION**

Executive Session was called at 8:45 PM to discuss personnel matters.  
The session ended at 9:27 PM.

**M-6** It was moved by Ms. Gleba and seconded by Mr. Fuller to adjourn at 9:28 PM.

DISCUSSION: None.

Vice-President Waldock asked that all those in favor of the motion signify by responding "aye" and those opposed signify by responding "nay." Motion carried 5-0.



Warren Cecconi, Borough Manager