

**BOROUGH OF EDGEWOOD  
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**BOROUGH OF EDGEWOOD**  
**MINUTES OF THE COUNCIL MEETING HELD APRIL 19, 2021**

*The meeting was held virtually via GoToMeeting due to the COVID 19 Pandemic.*

President Wainright called the meeting to order at 7:30 pm.

**ROLL CALL**

Upon roll call, the following responded: Mr. Fuller, Mrs. Gleba, Mr. Love, Mr. O'Donnell, Dr. Petrolla, Ms. Yaney, and Mr. Wainright. Also present were Mayor Wilson, Junior Councilperson Ben Bermann, Solicitor Tim Barry and Borough Manager Rob Zahorchak.

**ITEMS FROM THE FLOOR:** Mr. Zahorchak stated that there was no public comment. No additional comments were made.

Mayor Wilson read Proclamation 2021-03:

**PROCLAMATION 2021 – 03**

**WHEREAS**, Owen L. Lewis, Jr. of Edgewood, passed away at the age of 92 on February 24, 2021, and;

**WHEREAS**, Mr. Lewis graduated from Wilkesburg High School in 1945, attended the University of Pittsburgh in 1950 and served in the United States Air Force from 1951-1959 attaining the rank of Staff Sergeant, and;

**WHEREAS**, Mr. Lewis had a successful thirty-year career in the interior design and construction field and was a 33<sup>rd</sup> Degree Mason, and;

**WHEREAS**, Mr. Lewis was a member and officer of the Edgewood Youth Activities Association, coaching boys and girls basketball, baseball and softball, and helping to found Edgewood Community Day, and;

**WHEREAS**, Mr. Lewis was the Secretary of the Board of Trustees of the Edgewood Community Club and representative the Eastern Swim Association and the C.C. Mellor Library.

**NOW, THEREFORE** on this the 19th day of April, 2021, the Office of the Mayor of the Borough of Edgewood, in partnership with Borough Council, honors the life and service of Owen L. Lewis, Jr. and his numerous personal and professional accomplishments and proclaims Friday April 23, 2021 as **“OWEN LEWIS DAY.”**

**PROCLAIMED** at the meeting of the Council of the Borough of Edgewood the 19th day of April, 2021.

Borough council received a presentation from the borough engineer on options related to sewer regionalization and council authorized the engineer to perform additional televising of the nine mile run sanitary interceptor.

### **APPROVAL OF MINUTES**

**M-1** Mr. O'Donnell moved to approve the March 15, 2021 regular meeting minutes. Second by Mr. Fuller.

The Aye vote on the motion was unanimous. **Motion carried.**

**M-2** Mr. O'Donnell moved to approve the March 22, 2021 special meeting minutes. Second Mr. Love.

The Aye vote on the motion was unanimous. **Motion carried.**

**M-3** Mr. O'Donnell moved to approve the April 5, 2021 regular meeting minutes. Second Ms. Yaney.

The Aye vote on the motion was unanimous. **Motion carried.**

### **AUTHORIZATION TO PAY BILLS**

**M-4** Mr. O'Donnell 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 from the General Fund in the amount of \$ 118,422.99 and from the Sewer fund in the amount of \$21,085.87 for a total of \$139,508.86. Second by Ms. Yaney.

DISCUSSION: Mr. O'Donnell stated that the large items included a payment of \$21,083 for the presentation from Lenin, Smith and Sulerette, \$30,519 from general fund for a 2021 DPW Ford F350 pick up truck and two online payments for insurance, for April and May, in the amount of \$21,099 each.

Upon roll call vote the following responded yes: Mr. Fuller, Mrs. Gleba, Mr. Love, Mr. O'Donnell, Dr. Petrolla, Ms. Yaney, and Mr. Wainright. **Motion carried.**

### **Committee Reports:**

**GENERAL GOVERNMENT:** Mr. O'Donnell provided his report with the authorization of bills.

**POLICE:** Mayor Wilson stated that besides noting that the police vehicles are running well, there is nothing to report.

**PUBLIC SAFETY:** Mr. Fuller reported that Public Safety did not meet.

**COMMUNITY DEVELOPMENT:** Mr. Wainright noted that Mrs. Gleba will take over Mr. Bright's position as Chair of Community Development for the remainder of the term. Mr. O'Donnell confirmed that there have been no meetings recently.

**PUBLIC WORKS:** Mr. Love reported that Public Works did not meet.

**COMMUNITY SERVICE:** Ms. Yaney reported that Community Service did not meet.

**PERSONNEL:** Dr. Petrolla reported that Personnel did not meet.

**PENSION:** Mr. Fuller reported that Pension did not meet.

**CONNECT:** Mr. Zahorchak reported that several sub committees are exploring strategies for a climate action plan for communities to adopt, as well as recycling and waste management measures. There should be an executive committee meeting in the near future.

**SOLICITOR'S REPORT:** Mr. Barry noted that we were contacted by the environmental consultant who is working with WABCO for the Parcel D remediation, with the belief that we had re-zoned Parcel D. WABCO planned to remediate the property for non-residential standards. Mr. Zahorchak added that the company has never been to the property, but acquired it from the dissolution of Union Switch and Signal. With the possibility of the Rodriguez development, when WABCO does their reporting, they will need to include residential remediation recommendations. It does not need the property will need to be remediated to residential standards, but that there will be covenants or deed restrictions attached to the property. That would make any future developer aware of possible contaminants onsite. Otherwise, Mr. Barry had nothing to report.

**BOROUGH MANAGER'S REPORT:** Mr. Zahorchak reported that the new DPW truck will be arriving Wednesday, and the old vehicle can soon be advertised for sale. We have completed all steps towards the final inspection of the traffic light on Maple Ave, which is scheduled for Thursday at 9am. Assuming that goes well, we can file for reimbursement and the project will be complete. Mr. Zahorchak stated that he had a pre-meeting with our geotechnical engineer and members of JG Construction, for the reconstruction of segments of the retaining wall at the Oakview parking lot. Construction is slated to start May 3, and should be completed no later than July 10<sup>th</sup>, with completion likely happening the third week of June. Notification to the drivers using the lot will be sent this week. We will provide free on-street parking passes for them to use during construction. On behalf of the Pittsburgh Port Authority, the Michael Facciano construction company will be replacing the fence and wall structure along the busway, starting in May. Parking along E. Swissvale Ave will be affected. Construction will start at the train station and move towards Swissvale Borough. The project should be completed in July.

Mr. Zahorchak noted that on the agenda is a motion to enter into the Second Option Year of the SHACOG salt agreement. Mr. Zahorchak advised council in favor of this agreement. The price per ton now is \$80.25. In option years, the supplier only raises prices based on the price of diesel fuel, which is tied to the consumer price index, so there should be no other surprise increase. We should be entering the second year on July 1, at the price we have now, until June 30, 2022, barring any increases based on the CPI.

Mr. Zahorchak stated that packets should include an estimated cost breakdown of the suggested paving projects for the year. This includes comparison of a brick replacement versus asphalt re-paving for Pliney Way. He noted that that brick reconstruction is nearly double the price of a brick removal and asphalt construction. There may be some cost variables, with estimates being created based on the average of similar projects to date. We should be able to expect a similar price as other similar projects. With an asphalt construction, there should be enough in the budget to cover all projects in the bid, and alternate projects, including repaving of Gordon St and Pennwood up to the Wilkinsburg line. With a brick replacement, the alternates would not be an option, assuming we get the price given for the brick reconstruction.

Mr. Wainright noted that the alleyway has been in need of reconstruction for a while, and that houses attached to it are unlikely to care, as it goes behind the homes. Mr. Fuller agreed that under the circumstances presented, paving in asphalt is the preferable option. Mayor Wilson noted that he spoke with several residents there, who had no preference for keeping the brick street, and would just like it to be fixed. Based on comments from those present, Mr. Zahorchak stated that he will move forward with plans for paving the street in Asphalt.

Mr. Wainright inquired what the budget would allow for in paving with asphalt, specifically if we could get both alternate streets. Mr. Zahorchak confirmed that it would, assuming we get favorable pricing. That includes Gordon St from Westmorland to Swissvale; the remainder of Pennwood; Pliney Way from Sanders to the Wilkinsburg border; McCague, which is the alley behind Race St; Bboyd, the alley across from Koenig Field; and a resurface of the intersection of Maple and Edgewood Ave, which has not been paved in roughly 20 years.

**NEW BUSINESS:** Mayor Wilson noted the new deli, owned by Square Café has opened, and includes table seating. He inquired whether they have established their sidewalk café permit. Mr. Zahorchak responded that businesses have been reminded to update their permits. He noted that he will follow up with our Code Inspector concerning business compliance around sidewalk seating.

### **COMMITTEE ACTION**

**M-5** Mr. Love moved to exercise the Second Option Year of the SHACOG Purchasing Alliance Salt Contract with Cargill, Inc, commencing July 1, 2021 and ending on June 30, 2022. Second by Mr. Fuller.

DISCUSSION: None.

Upon roll call vote the following responded yes: Mr. Fuller, Mrs. Gleba, Mr. Love, Mr. O'Donnell, Dr. Petrolla, Ms. Yaney, and Mr. Wainright. **Motion carried.**

**M-6** Mr. Love moved to accept Stephanie Ulmer's letter of resignation from the Shade Tree Committee effective May 1, 2021. Second by Mrs. Gleba.

DISCUSSION: None.

Upon roll call vote the following responded yes: Mr. Fuller, Mrs. Gleba, Mr. Love, Mr. O'Donnell, Dr. Petrolla, Ms. Yaney, and Mr. Wainright. **Motion carried.**

- M-7** Mr. Fuller moved to authorize the borough engineer to advertise the 2021 road paving program bid. Second by Mr. O'Donnell.

DISCUSSION: None.

Upon roll call vote the following responded yes: Mr. Fuller, Mrs. Gleba, Mr. Love, Mr. O'Donnell, Dr. Petrolla, Ms. Yaney, and Mr. Wainright. **Motion carried.**

- M-8** Mr. Fuller moved to read Ordinance 1072 (title only). Second by Mr. Fuller

**BOROUGH OF EDGEWOOD\**  
**ALLEHGENY COUNTY, PENNSYLVANIA**  
**ORDINANCE 1072**

**AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, PROVIDED FOR THE PENALTIES RELATED TO THE POSSESSION OR USE OF SMALL AMOUNTS OF MARIJUANA, PERSONAL USE OF MARIJUANA, AND THE PERSONAL POSSESSION OF MARIJUANA PARAPHENELIA.**

DISCUSSION: Mrs. Gleba, having recently joined Council, requested clarification on the ordinance. She inquired whether the ordinance reiterates PA State law. Mr. O'Donnell responded that yes, it does reiterate State law, as well as provide guidance for a lesser punishment that officers may chose for the possession of small amounts of marijuana. Mr. O'Donnell discussed the guidelines for punishment according to State law, and how this ordinance allows officers to make a choice to use a lesser punishment. Mrs. Gleba requested further clarification on how penalties are ultimately decided; whether that is by the officer, or by a court. Mr. O'Donnell responded that the ordinance provides options for officers in regards to what charges to impose. Mrs. Gleba inquired whether State law still takes precedence over the borough ordinance. Mr. O'Donnell confirmed that it does, and noted the ordinance is written to include provision for that. Mrs. Gleba noted that the ordinance does not discuss possession when it involves a medical marijuana card, and requested clarification on that point. Mr. O'Donnell confirmed that medical marijuana use and possession is not included in this ordinance.

Upon roll call vote the following responded yes: Mr. Fuller, Mr. Love, Mr. O'Donnell, Dr. Petrolla, and Ms. Yaney. The following responded no: Mrs. Gleba and Mr. Wainright. **Motion carried.**

Mayor Wilson inquired about the starting age mentioned in the ordinance, and asked why it is still listed as 18 rather than 21 following last week's discussion with Chief Payne. Mr. O'Donnell stated that he discussed the matter with Chief Payne, and it was decided to keep the age at 18. This is based on the fact that 21 is the age used for

recreational use of controlled substance, such as alcohol and tobacco. As marijuana is not currently considered a controlled substance for recreational use, it does not compare to those items. The only regulated use listed for marijuana currently is medical use, and the age to obtain a medical marijuana card in the state of Pennsylvania is eighteen or older. The goal of the ordinance is to limit penalties for individuals in possession of marijuana starting at the age of eighteen.

**M-9** Mr. Fuller moved to advertise Ordinance 1072. Second by Ms. Yaney.

DISCUSSION: None.

Upon roll call vote the following responded yes: Mr. Fuller, Ms. Gleba, Mr. Love, Mr. O'Donnell, Dr. Petrolla, and Ms. Yaney. The following responded no: Mr. Wainright. **Motion carried.**

**M-10** Mr. Fuller motioned to adjourn the meeting at 9:06 p.m. Second by Mr. O'Donnell. The Aye vote on the motion was unanimous. **Motion carried.**



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Rob Zahorchak, Borough Manager