

BOROUGH OF EDGEWOOD
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**BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
MONDAY, OCTOBER 15, 2007**

Vice President Mark McNally called the Meeting of the Council of the Borough of Edgewood to order on Monday, October 15, 2007 at 7:30 PM in the Municipal Building.

Borough Manager Kurt Ferguson called the roll and the following responded: Ms. McDonald, Mr. Cook, Ms. Nogrady, Mr. Szefi, Mr. McNally, Mr. Hellett.

Ms. Schaefer was absent.

Mayor Jean O. Davin, Borough Solicitor W. Timothy Barry and the Jr. Councilperson were also present.

The Pledge of Allegiance was recited.

ITEMS FROM THE FLOOR

None.

COMMITTEE ACTION

M-1 Mr. Hellett moved to approve the minutes of September 17, 2007. Second by Mr. Cook.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Mr. McNally, Mr. Szefi, Mr. Hellett, voted yes. Ms. Nogrady abstained. Motion carried.

M-2 Mr. Hellett moved to approve the minutes of October 1, 2007. Second by Mr. Cook.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Ms. Nogrady, Mr. McNally, Mr. Hellett voted yes. Mr. Szefi abstained. Motion carried.

M-3 Ms. McDonald 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 \$88,920.65. Second by Mr. Cook.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Ms. Nogrady, Mr. Szefi, Mr. McNally, Mr. Hellett voted yes. Motion carried.

COMMITTEE REPORTS

GENERAL GOVERNMENT REPORT

Mr. Hellett addressed the garbage quotes and mentioned that a motion appeared on tonight's agenda awarding the contract to the lowest bidder.

A question from the Edgewood Foundation was presented by Mr. Hellett concerning why a Council person is a member of the Foundation Board.

DISCUSSION: Because of Mayor Davin's long-term association with both the Foundation and Council, she offered the following information. With the establishment of the Edgewood Foundation from the remaining funds from the Woodland Hills School District merger fight, a position was given to Council on the Foundation. At that point in time, according to Mayor Davin, there were only seven (7) members on the Foundation, now numbering nine (9).

The Mayor said that this followed in the tradition of the Board of Trustees of the Library where two members had been placed; this is what the Foundation followed. This, stated the Mayor, can be changed if Council so requests by a change of the Edgewood Foundation bylaws.

Mr. McNally asked what would determine whether Council would continue its status quo and Mayor Davin responded that the status quo remains unless the Edgewood Foundation votes for removal or Council requests that the Edgewood Foundation removes Council's appointee. The Mayor went on to say that if Council decides not to have a person on the Board, they could change the bylaws to exclude the Council position.

Mr. McNally stated that tonight's discussion had to do with whether the status quo should continue. He mentioned that some members of Council did not previously have the background given tonight by Mayor Davin. He stated that the General Government Committee needed to get more enlightened on the issue.

Mayor Davin offered to provide a copy of the bylaws.

Mr. McNally said that it would be helpful to locate the motions or resolutions adopted by Council and Mayor Davin stated that the merger occurred in 1982 with the Foundation forming in the early 80s. Mayor Davin mentioned that Ms. Winslow is the only person remaining on the Foundation from its inception.

POLICE REPORT

Mayor Davin stated that she reviewed the Police Report and it showed a decrease in crime as compared to last year. The highest crime statistics were for theft and narcotics. The Mayor then reviewed the remainder of the Monthly, as well as the Significant Events Report. Safety programs which the Mayor mentioned included Click It or Ticket, Open House, Child Fingerprinting and a Block Party.

DISCUSSION: None.

PUBLIC SAFETY

Ms. McDonald stated that the Committee met October 8, 2007 and discussed the potential acceptance of the Junior Firefighter Program pending a possible change to the bylaws. Ms. McDonald said that high school students can participate in first aid training and processes such as rolling up fire hose, but they will not be responding to actual calls.

At the Public Safety Committee meeting, Ms. McDonald noted that the firefighters were asked questions about the proposed program. She said that this would be a good way for the students to practice stewardship and reported that this program already takes place in several other boroughs. Ms. McDonald informed Council that the motion says that the Solicitor will have an opportunity to review the program.

According to Ms. McDonald, Police Department staffing matters were also discussed at the last meeting. A part-time police officer will be resigning on October 19, 2007. Ms. McDonald said that the Civil Service eligibility list expires at the end of the year and the Committee has reviewed the procedures to obtain a new list. It was also realized that one of the Civil Service Committee member's terms has expired and this person will be offered a chance to continue.

Ms. McDonald reported that updates have been given by Chief Wood on neighborhood areas including Allenby Avenue, Walnut Street and Maple Avenue.

DISCUSSION: With reference to the resident who attended Council regarding his parking issues, Mayor Davin reminded Council that the parking ordinance was to be revisited. Mr. Ferguson stated that a neighbor has given the person some of his allotment of parking days for this year, thereby settling the current problem. It was decided that the ordinance would be reviewed at a later time.

Mr. Szefi asked that the Borough taser policy be reviewed.

Ms. McDonald continued by stating that the Police Chief is working to complete the CALEA standards to implement a number of checks and balances and reviews for just such occurrences as the use of the taser. Those officers who use the taser are required to write lengthy reports which will be reviewed by the Sergeant or the Chief. The use of the taser will be monitored closely.

Solicitor Barry, referring back to the Volunteer Fire Department bylaws, stated that he does not understand why Council is amending these versus the Fire Department doing it. He felt that, although this may be appropriate, his experience is that the Fire Department is an independent non-profit corporation that is designated by the municipality as a fire department of the Borough. Mr. Barry said that decision making and finances are independent of the Borough government.

It is understood, according to Mr. Barry, that there are liability issues as the Fire Department is an officially designated unit of the Borough from a governmental point of view. Mr. Barry said that he will review the document and, assuming it is correct, the Council will approve it from a liability standpoint.

Historically, according to Mayor Davin, the Fire Department amended their own bylaws and submitted them to Council for approval because Council appointed their Fire Chief. This was to see if there were any problems and if there were any insurance issues or other legalities pending.

After questioning by Mr. Barry, Mr. Ferguson stated that there are no insurance issues and there would be no increase in insurance premiums.

Ms. McDonald stated that Chief Wood offered to redo the firefighters' clearances.

Mr. McNally said that the procedural issue must be addressed to see if anything will be submitted to Council. He asked what the procedural status quo was in the past when the Fire Department wanted to amend their bylaws. Mr. McNally stated that the Borough needs to reflect in the record through a motion or otherwise that the Volunteer Fire Department has made the document available and the Borough has found it to be appropriate and not objectionable.

Solicitor Barry stated that if the practice has been that the Volunteer Fire Department has sent Council the document just to be sure there is no objection, then this action does not need to be taken. It was Mr. Barry's opinion, however, that it would be better that Council have an opportunity to review the procedural issue.

Mr. McNally asked if, since a copy of the bylaws were received and Public Safety has described the reason for the motion, would it be appropriate to see if there is a consensus for doing this tonight.

Mayor Davin indicated that this has been done before and Council has approved it. She felt this might have something to do with the yearly audits or may be done for various types of regulatory groups and may require Council's affirmation.

Mr. Ferguson indicated that he will relay the information to the firefighters and will have the information for the next meeting.

Mr. Barry was insistent regarding review of the document as he felt there were potential liability issues with it. He wanted a concrete itemization of what the junior members could and could not do.

Mr. McNally offered a suggestion, stating that the idea of a junior firefighter has been around for quite some time, but he is not aware of any great urgency in having one appointed this evening. Mr. McNally felt that Mr. Barry could be given time to review the document and Council will be better equipped to know what to do.

Mr. Szefi proposed tabling this discussion until the next meeting.

Mayor Davin requested that the Volunteer Firefighters be told that the Solicitor will be reviewing the document and Council had no objection pending his review.

Mr. Barry pointed out to Mr. Ferguson that there was a portion of the document that was not a complete sentence.

COMMUNITY DEVELOPMENT

Ms. Nogrady stated that the Committee did not meet and read the highlights of the report.

DISCUSSION: None.

PUBLIC WORKS

Ms. McDonald stated that they met October 3, 2007 with the engineers present to discuss potential litigation which will be discussed in a future Executive Session.

DISCUSSION: None.

COMMUNITY SERVICE REPORT

Mr. Hellett stated that the Committee did not meet. He reported that Mr. Ferguson had furnished a review of Community Day which will be used during the budget process.

DISCUSSION: None.

PERSONNEL COMMITTEE

Mr. Hellett said that the Committee did not meet. He indicated that the Committee is trying to make the reviews more job-specific.

DISCUSSION: Mr. Ferguson stated that he has available about one half dozen review models that Mr. Hellett might find useful.

PENSION COMMITTEE

According to Ms. Nogrady, the Committee did not meet.

DISCUSSION: None.

AD HOC

PORT AUTHORITY

Mr. McNally said they did not meet as a Committee; however, Ms. Schaefer, Mr. Ferguson and Mr. McNally met with Senator Jay Costa to discuss issues regarding Port Authority and how he might assist the Borough to be considered a high priority issue. Mr. McNally stated that it is not necessary or appropriate to elaborate on the meeting, but indicated that he is cautiously optimistic that the meeting may have some effect.

DISCUSSION: Mayor Davin asked if the Borough has received a contract or agreement (lease) regarding the Train Station and was answered in the negative. She asked if work is being done on this.

Solicitor Barry stated that he has had a conversation with the attorney. Mr. McNally said it has been reported that this is being done.

The Mayor had questions regarding the committee reviewing the interior of the Train Station to see if it was appropriate to turn it over to the Borough.

After Mr. McNally's reply that Messrs. Bilyak, Grubb and Ferguson had walked through, Mr. Ferguson stated that aesthetic improvements are needed. He said no bathroom and no insulation exists. Also, according to Mr. Ferguson, if a tenant is found, there may be a way to take rent off for the tenant doing repairs.

Mr. Hellett asked if there is a functional heating system and who is it registered to and Mr. Ferguson stated that there is a functional system in place which was originally Norfolk Southern's and is now Port Authority's.

Mr. McNally said that the regularly scheduled meetings of this Committee are the fourth Wednesday of each month and these should continue even if a Port Authority representative cannot be present. Discussions of where to go from this point could occur, according to Mr. McNally.

Mayor Davin spoke regarding Port Authority's lack of plans for putting in a pedestrian walkway, stating that the Borough has been waiting for Port Authority to move forward, yet they are not moving forward from years ago. Not caring to be in this position, the Mayor felt that the Borough is stymied due to this inaction and expressed her sentiment that the Towne Centre is an asset that the Borough needs to develop.

Mr. McNally informed Council that he has consulted with the Solicitor with respect to some of the issues confronting Council with respect to Parcel D and that the Committee is open to suggestions regarding moving more swiftly.

Mr. McNally felt that any more strategic and tactical discussions should be held in Executive Session.

EDGEWOOD PRIMARY SCHOOL COMMITTEE

Ms. McDonald said that the Committee did not meet. The closure of two parking lots close to the 111 Maple Avenue fire have closed off 20 to 25 parking spaces, according to Ms. McDonald. She stated that discussion of suspending parking on one side of Hawthorne has been had with Chief Wood and Mayor Davin.

DISCUSSION: Mayor Davin said that not many cars park on Hawthorne, which she can see from the side of her home. She said that she will be happy to suspend parking on one side of Hawthorne if necessary.

Ms. McDonald answered in the affirmative to Mr. Hellett's question regarding whether the lost parking spaces are a direct result of the fire.

PARCEL D COMMITTEE

Mr. McNally had no report.

DISCUSSION: None.

3 RIVERS WET WEATHER DEMONSTRATION PROJECT

In Ms. Schaefer's absence, Mr. Ferguson gave this report.

DISCUSSION: None.

COMPREHENSIVE INTERMUNICIPAL STEERING COMMITTEE

Mr. Szefi stated that he did not attend the meeting and will update Council following the next meeting.

DISCUSSION: Mr. Ferguson stated that special issues of traffic were addressed.

SOLICITOR'S REPORT

Mr. Barry said that the solid waste bids have been received and that he has drafted a motion. Mr. Ferguson has raised an issue and Mr. Barry indicated the need for a brief Executive Session to discuss a potential legal issue.

DISCUSSION: Mr. McNally stated that this will defer consideration of the issue until after Executive Session.

Mayor Davin asked if Mr. Ferguson had received the documents which she forwarded to him in Chief Wood's packet and Mr. Ferguson answered in the negative.

BOROUGH MANAGER'S REPORT

Mr. Ferguson mentioned that leaf pick-up will begin October 26, 2007. Regarding the motion to advertise for Public Works employees, he indicated that there have been no applicants. Mr. Ferguson also mentioned that the 2008 parking letters will go out on Friday. There will also be a Community Services memo sent out to Council on Friday.

The Haunted House will be held October 19-20 and October 26-27, 2007. Mr. Ferguson informed Council that he is starting on the 2008-09 grant tour and is meeting with major funders. He mentioned the budget which was sent to them in the last packet. He noted that the fees from the bank have been permanently removed.

DISCUSSION: With regard to the part-time Public Works position, Mayor Davin stated that the Edgewood Foundation had a person who was interested until they found out what the job pays. She stated that she really thinks this will be a disservice to the community if someone is not recruited to help and asked that the pay rate be raised to \$10.00 per hour. Mayor Davin acknowledged that the work is hard labor and there are just not enough workers in the Public Works Department and asked that Council give this suggestion serious consideration.

Mr. Hellett thanked Mr. Ferguson for getting the bank fees reduced and Ms. McDonald congratulated him on completing the budget balancing.

Mr. Ferguson spoke to the motion on the budget regarding repair of the Public Works garage and the three (3) quotes, stating that this item had been included in this year's budget.

NEW BUSINESS

Mr. McNally asked that all Council review the 2008 budget meeting overview date of October 29, 2007 from 7:00 – 9:00 PM. He also requested that the other dates shown be penciled in.

Mayor Davin gave the Edgewood Foundation dates for Light-Up Night (December 7, 2007), Progressive Dinner (February 9, 2008), Clean Up (April 19, 2008) and Wine and Chocolate (October 4, 2008).

The Mayor expressed, on behalf of the Edgewood Foundation members, great concern about the park at Koenig Field with pollution and the sewer problem. They felt that parents will shy away from the park and asked if there is any interest in moving the equipment to Dickson Park. Mayor Davin stated that she spoke with Mr. Ferguson who assured her that the Allegheny County Health Department is not concerned that the park poses a safety problem for the children and felt that planting might be done there.

Mr. McNally asked that the Community Services Committee undertake this.

Mayor Davin went on to express further concern of the Foundation regarding the Recreation program and the fact that there is no T-ball program and that there is a lack of volunteer involvement. Some of the members of the Foundation felt that there is not going to be a basketball program or other programs they wanted to see return. They felt that these programs were a main source of "community" for Edgewood people and were needed to get children together.

The Mayor stated that the Edgewood Foundation is planning a Clean Up for the Borough and suggested for Brinton Road that Rose of Sharon might be planted to make everything uniform. The Foundation will buy the plants, according to the Mayor. The Foundation members are also interested in placing iron work in front of the train track on Pennwood Avenue. Also, the Mayor was asked to find out if Council is interested in putting the names of films by the Pittsburgh Filmmakers in the Edgewood Newsletter.

Mr. McNally felt these were issues to be sent before Committee.

Mr. Hellett thanked Mayor Davin for attending the Edgewood Foundation meeting. Regarding the playground, he stated that it would be much more cost effective to get a letter from the Allegheny County Health Department stating that the area has a clean bill of health.

For the benefit of the reporter present, Ms. McDonald gave the Trick or Treat schedule for Edgewood as October 31, 2007 from 6:00 to 8:00 PM.

COMMITTEE ACTION

M-4 Mr. Hellett moved to authorize the payment of property tax refunds in the gross amount of \$3,815.52, as reviewed by the Tax Collector, to the property owners and in the amounts designated by the Tax Collector, which owners and amounts are listed in the minutes of this meeting. Second by Ms. McDonald.

NAME	FOR/AT	AMOUNT
Khaled Shoeib	1200 Mifflin Ave.	\$ 97.92
Michael Tuite/Jaime Serenity	129 Gordon St.	\$ 99.92
Galen Switzer	117 Linden Ave.	\$ 55.48
Elizabeth Brown/Edward Clark	129 Lincoln Ave.	\$ 64.62
Klaus Sutner/Stephanie Ulmer	427 Elmer St.	\$ 300.94
Michael/Susan Frankgiskakis	325 Dewey St.	\$ 97.91
Joseph/Lisa Perdue	233 W. Swissvale Ave.	\$ 359.69
Rochelle Levine	116 Harlow St.	\$ 160.58
Lisa Dippold	818 Walnut St.	\$ 346.62
John/Margaret Costello	1000 Walnut St.	\$1,514.44
Terry Teasdale	236 Race St.	\$ 91.38
Elaine Rose	225 E. Swissvale, Apt. 8	\$ 22.84
Kathleen Dewalt	145 Washington St.	\$ 228.48
Maria Philips	1110 Savannah Ave.	\$ 130.55
Hany & Sakah Bedair	1221 E. End Ave.	\$ 75.07
Christie Hudson	1223 S. Braddock Ave.	\$ 116.85
Douglas Baker	219 Garland St.	\$ 52.23
	TOTAL	\$3,815.52

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Ms. Nogrady, Mr. Szefti, Mr. McNally, Mr. Hellett voted yes. Motion carried.

M-5 Ms. McDonald moved to approve the repair of the Public Works garage, as outlined in the 2007 budget, by Paff Contractors, the lowest of three (3) written quotes, at a cost of \$9,850.00. Second by Ms. Nogrady.

DISCUSSION: Solicitor Barry stated that everything with the bid process is in order.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Ms. Nogrady, Mr. Szefi, Mr. McNally, Mr. Hellett voted yes. Motion carried.

Following an Executive Session which lasted from 8:55 to 9:10 PM, the Council return to open session and the following motion was made.

M-6 Ms. McDonald moved to accept the bid of Waste Management of Pennsylvania, Inc. to provide solid waste collection services to the Borough of Edgewood for 2008, 2009, 2010, subject to the execution of an agreement between Waste Management and the Borough, as approved by the Borough Solicitor. Second by Mr. Cook.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Ms. McDonald, Mr. Cook, Ms. Nogrady, Mr. Szefi, Mr. McNally, Mr. Hellett voted yes. Motion carried.

ADJOURNMENT

M-7 It was moved by Mr. Szefi and seconded by Ms. McDonald to adjourn this meeting at 9:12 PM.

Kurt M. Ferguson
Borough Manager