

BOROUGH OF EDGEWOOD
INDEX TO THE MINUTES OF THE MEETING OF COUNCIL HELD
FEBRUARY 2, 2009

	MOTION	PAGE
Adjournment	11	10
Bills	1	2
Hiring, Crossing Guard (Hubert Kreutzer)	10	10
Resignation, Motion to Accept (Borough Manager Kurt Ferguson)	8	7
Ordinance 1025 – Third & Final Reading (Millage)	2	2, 3
Ordinance 1025 --“Shall the Ordinance Pass?”	3	4
Ordinance 1026 – Third & Final Reading (Copying Fee Under Right to Know Law	4	4, 5
Ordinance 1026 --“Shall the Ordinance Pass?”	5	5
Ordinance 1027 – Uniform Pension Amendment – First Reading	6	5, 6
Ordinance 1027 – Uniform Pension Amendment – Second Reading	7	6, 7
Resolution 2009-02 (Amended) (Robert C. Payne)	9	9

**BOROUGH OF EDGEWOOD
MINUTES OF THE MEETING OF COUNCIL HELD
FEBRUARY 2, 2009**

Council President Schaefer called the Meeting of the Council of the Borough of Edgewood to order on Monday, February 2, 2009 at 7:38 PM in the Municipal Building.

ROLL CALL

Borough Manager Kurt Ferguson called the roll and the following responded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett (arrived 7:42 PM following first vote), Ms. Schaefer.

Ms. McDonald and Mr. Szefi were absent.

Mayor Jean O. Davin was not in attendance, but was available by phone and Solicitor W. Timothy Barry was present, as was the Junior Councilperson.

The Pledge of Allegiance was recited.

ITEMS FROM THE FLOOR

None.

AUTHORIZATION TO PAY BILLS

M-1 Mr. Cook 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 \$56,464.99. Second by Mr. Reynolds.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Ms. Schaefer voted yes. **Motion carried.**

Mr. Hellett arrived at 7:42 PM.

COMMITTEE ACTION

M-2 Mr. Cook read Ordinance 1025 on Third and Final Reading and asked for its immediate adoption. Second by Mr. Reynolds.

BOROUGH OF EDGEWOOD

ORDINANCE 1025

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD,
COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR
THE FISCAL YEAR 2009

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Edgewood, Commonwealth of Pennsylvania;

SECTION 1: That a tax be and the same is hereby levied on all real property, within said Borough subject to taxation for Borough purposes for the fiscal year 2009 as follows:

Tax rate for general Borough purposes, the total of six and six hundred sixty-one thousandths (6.661) mills on each thousand dollars of assessed valuation.

1 mill = \$1.00 for every \$1,000 assessment
6.661 mills = \$6.661 for every \$1,000 assessment

SECTION 2: That any ordinance, or part thereof, conflicting with the provisions of this Ordinance be and the same is hereby repealed insofar as the same is affected by this Ordinance.

ORDAINED AND ENACTED into law this 2nd day of February 2009.

ATTEST

Kurt M. Ferguson
Borough Secretary

Patricia M. Schaefer
Council President

EXAMINED AND APPROVED by me this 2nd day of February 2009.

Jean O. Davin
Mayor

DISCUSSION: Ms. Schaefer asked Mr. Ferguson how long the millage has been at its current rate.

Mr. Ferguson responded that the current rate has been in place since 2003; however, no tax increase has taken place for six (6) years preceding that. Mr. Ferguson stated that the difference translates into the earlier seventy eight dollar (\$78) garbage fee.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Third Reading Passes.**

M-3 The Chair asks, "Shall the Ordinance Pass?"

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Ordinance 1025 Passes.**

M-4 Mr. Shultz read Ordinance 1026 on Third and Final Reading and asked for its immediate adoption. Second by Mr. Reynolds.

BOROUGH OF EDGEWOOD

ORDINANCE 1026

AN ORDINANCE ADJUSTING COPYING COSTS IN ACCORDANCE WITH PENNSYLVANIA'S RIGHT-TO-KNOW LAW

WHEREAS, the Pennsylvania Right-to-Know Law passed on February 14, 2008, and

WHEREAS, the law became effective on January 1, 2009 and established that fees for copying shall be set by the Pennsylvania Office of Open Records fees, and

WHEREAS, the Pennsylvania Office of Open Records sets limitations on the costs of copying fees of up to twenty five cents (\$.25) per page, and

WHEREAS, the Borough established a fee of fifty cents (\$.50) per page with Ordinance 987 on December 15, 2003.

NOW THEREFORE BE IT RESOLVED, that the Borough of Edgewood will set its copying fee at twenty five cents (\$.25) per page.

ADOPTED THIS THE 2nd day of February 2009 by the Council of the Borough of Edgewood.

ATTEST:

Borough Secretary

Council President

EXAMINED AND APPROVED by me this 2nd day of February 2009.

Jean O. Davin
Mayor

DISCUSSION: Mr. Barry had a comment regarding the closing recital.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Third Reading Passes.**

M-5 The Chair asks, "Shall the Ordinance Pass?"

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. Upon roll call vote Ordinance **1026 Passes.**

M-6 Mr. Hellett read Ordinance 1027 on First Reading and asked for its immediate adoption. Second by Mr. Reynolds.

BOROUGH OF EDGEWOOD

ORDINANCE 1027

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE BOROUGH'S POLICE PENSION FUND ORDINANCE CONCERNING THE DEFINITION OF "AVERAGE MONTHLY SALARY" AND "COMPENSATION"

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by Borough Council for the Borough of Edgewood, and it is hereby ordained and enacted by the authority of same as follows:

SECTION 1: SECTION IX AVERAGE MONTHLY COMPENSATION of Borough of Edgewood Ordinance No. 904 is hereby amended in its entirety as follows:

SECTION IX – AVERAGE MONTHLY COMPENSATION For purposes of this ordinance "Average Monthly Salary" shall mean the average monthly salary received by a police officer of the Borough of Edgewood during the last 36 consecutive month period prior to his normal retirement date, death, disability or termination of employment. "Compensation" shall be defined as the fixed amount paid to a police officer of the Borough of Edgewood at periodic intervals, based upon W-2 income; provided however, lump sum payments received by a full-time police officer upon retirement shall not be included in "Average Monthly Salary" or "Compensation", for purposes of calculating the officer's pension, except to the extent that the amount represents payment for days or benefits earned, but unused, during the last 36 consecutive months of employment.

SECTION 2: The purpose of this Ordinance is to amend the Police Pension Fund Ordinance in order to make it be consistent with the collective bargaining agreement between the Borough of Edgewood and the Edgewood Police Wage and Policy Unit, which became effective on January 1, 2005. Therefore, the effective date of this amendment and ordinance is January 1, 2005.

SECTION 3: Any Ordinance, or any part of any Ordinance, in conflict herewith is hereby appealed to the extent of such conflict.

ORDAINED AND ENACTED this 2nd day of February 2009.

ATTEST

Kurt M. Ferguson, Borough Manager

Patricia M. Schaefer, Council President

EXAMINED AND APPROVED by me this 2nd day of February 2009.

Jean O. Davin, Mayor

DISCUSSION: Mr. Barry mentioned that in Section 3 "appealed" should be "repealed." Further discussion ensued regarding average monthly compensation and Mr. Barry stated that this is being done to make the pension consistent with the collective bargaining agreement.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **First Reading Passes.**

M-7 Mr. Hellett read Ordinance 1027 on Second Reading (Title Only) and asked for its immediate adoption. Second by Mr. Cook.

BOROUGH OF EDGEWOOD

ORDINANCE 1027

AN ORDINANCE OF THE BOROUGH OF EDGEWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE BOROUGH'S POLICE PENSION FUND ORDINANCE CONCERNING THE DEFINITION OF "AVERAGE MONTHLY SALARY" AND "COMPENSATION"

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Second Reading Passes.**

M-8 Mr. Hellett moved to accept the resignation of Kurt Ferguson as the Borough Manager effective March 30, 2009. Second by Mr. Cook.

DISCUSSION: Ms. Schaefer noted the appreciation of Council for what Mr. Ferguson is willing to give to make the transition smooth. She stated that this speaks volumes to Mr. Ferguson's thoughtfulness to the Borough.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Ms. Schaefer announced that an Executive Session will be held regarding personnel with possible action to follow.

VOLUNTEER FIRE DEPARTMENT

Mr. Reynolds stated that there were thirty (30) calls in January. He stated that the heavy rescue truck responded to a gas leak a month ago in Murrysville and a letter expressing appreciation has been received from them. There was also an extraction of a critically injured person.

DISCUSSION: None.

WATER AUTHORITY REPORT

Mr. Fuller reported that the last meeting was a reorganization meeting at which the officers, the engineer and the solicitor were reappointed. A two (2) year extension was granted to the contract with a two and one half (2-1/2) percent wage increase.

There were eighty three (83) breaks since November, according to Mr. Fuller.

Because of the expense associated with it, Mr. Fuller said that the annual conference has been cancelled. The bidding contract has been renewed for six (6) months.

DISCUSSION: Mr. Hellett inquired about the water breaks for the season and Mr. Full said that they have been running ahead of last year, but most of them have been minor and not as large as the City of Pittsburgh or Pennsylvania Water.

RECREATION REPORT

Mr. Ferguson reported that the adult basketball league has twenty six (26) players and some changes have been made and a second night has been added. The youth basketball program is in full swing.

A meeting with the Community Services Committee was held and Mr. Ferguson reported that all programs and details will be finalized for Community Day, including entertainment, basketball, fireworks prior to his departure.

DISCUSSION: Ms. Schaefer asked that an article on the adult basketball program be placed in the newsletter.

The Recreation Coordinator concept was Mr. Ferguson's idea and, although some people had concerns at the outset, Ms. Schaefer said that under this system, the programs have thrived.

PLANNING COMMISSION REPORT

Mr. Szefi was not available to give a report.

DISCUSSION: None.

COG REPORT

Mr. Hellett reported on an invitation to the COG dinner on February 27, 2009 at Olympia Hall featuring State Senator Jay Costa.

DISCUSSION: Mr. Ferguson said that Amanda Stottlemeyer organized several things including members' meeting and quarterly meetings of the police chiefs. He went on to say that the meetings are terrific opportunities for members to get services via Requests for Proposals through the COG.

SOLICITOR'S REPORT

Mr. Barry noted the change to be made in Chief Payne's vacation from three (3) to two (2) weeks in the resolution. Mr. Barry stated that this would be read under New Business.

DISCUSSION: None.

BOROUGH MANAGER'S REPORT

Mr. Ferguson reported that the Maher Duessel audit began today. He will try to set up a meeting with them and Ms. McDonald, Mr. Shultz and Mr. Cook for February 23, 2009.

DISCUSSION: Mr. Barry asked for his letter from Maher/Duessel in order to meet the timeframe indicated by Mr. Ferguson.

NEW BUSINESS

Ms. Schaefer asked Council members to return the Statement of Financial Interest Forms as soon as possible. She also handed out proposed changes for voting in the Woodland Hills School District for review by Council. She also spoke of Mr. Belmont who is working with the Intercouncil and has done an excellent job in getting them to move forward.

Mr. Ferguson stated that the copy ordinance has been passed and the policy is online. He stated that this will be managed by Ms. Lewis.

Mr. Cook stated that Dr. Calinger will be in the Borough on February 17, 2009 and that he has a great interest in encouraging people to attend to discuss the quality of education children receive. The meeting will be between 7:00 to 9:00 PM at the Community House and Library and a large turnout is hoped for.

Mr. Cook also attended a two hour presentation by Dr. Calinger at the Wilkins School.

Ms. Schaefer informed Council that the Wizard of Oz was the school musical and the cost is \$10.00 per ticket. The musical is covered by a \$25,000 budget and no money is taken from the school district.

M-9 Mr. Cook offered amended Resolution 2009-02 and asked for its immediate adoption. Second by Mr. Reynolds.

BOROUGH OF EDGEWOOD

AMENDED RESOLUTION 2009-02

WHEREAS, the Council of the Borough of Edgewood recognizes the importance of maintaining a Chief of Police on behalf of the Borough; and

WHEREAS, ROBERT C. PAYNE has exhibited both the knowledge and ability to serve in the capacity of Chief of Police, and

NOW THEREFORE BE IT RESOLVED that **ROBERT C. PAYNE** be reappointed to the office of Chief of Police for the Borough of Edgewood for fiscal year 2009 at a rate of \$65,000 per year and providing for two (2) weeks of vacation.

ADOPTED THIS THE 2nd day of February 2009 by the Council of the Borough of Edgewood.

ATTEST:

Borough Secretary

Council President

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Mr. Hellett thanked Mr. Ferguson for keeping his promises for a seamless transition.

An Executive Session began at 8:25 PM.

Following the Executive Session, which ended at 9:17 PM, the following motion was made:

- M-10 Mr. Hellett moved to authorize the hiring of Hubert Kreutzer as a Crossing Guard, pending a successful background investigation at a pay of \$10.39 per hour. Second by Mr. Cook.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

ADJOURNMENT

- M-11 It was moved by Mr. Hellett and seconded by Mr. Cook to adjourn this meeting at 9:18 PM.

DISCUSSION: None.

Upon roll call vote, the following was recorded: Mr. Shultz, Mr. Reynolds, Mr. Cook, Mr. Hellett, Ms. Schaefer voted yes. **Motion carried.**

Kurt Ferguson
Borough Manager