

EDGEWORTH BOROUGH COUNCIL
REGULAR MEETING MINUTES
August 16, 2016

MEETING was called to order at 7:30 p.m. with President Joseph T. Hoopp presiding and the following members of Council and officials of the Borough present: Mr. Joseph T. Hoopp, Mr. David T. Aloe, Mr. Ivan T. Hofmann, Mrs. Carrie Duffield, Mr. Daniel S. Wilson, Mr. Gregory Marlovits, Dr. Gary Smith, Mayor Wayne T. Murphy, Borough Manager John F. Schwend, and Mr. Brendan Lucas, Esq., representing the Borough Solicitor.

MINUTES of the Regular Meeting held on July 19, 2016 were presented to Council. After some review and discussion, a motion was made by Mr. Wilson with a second by Mr. Hofmann to approve the Regular Meeting Minutes from July 19, 2016. All present voted unanimously in favor of the motion.

TREASURER'S REPORT for the month of July 2016 was presented to Council. After review and discussion, this report was ordered received and filed.

INVESTMENT REPORT as of August 16, 2016 was presented to Council. After review and discussion, this report was ordered received and filed.

FINANCIAL REPORT for the month of July 2016 was presented to Council. Mr. Wilson asked about the budget item for civil service expenses. Mr. Schwend stated that these expenses were budgeted for the hire of a new full-time Patrol Officer and the testing that occurred during that process. After further review and discussion, the report was ordered received and filed.

BILLS PAYABLE for the month of August 2016 in the amount of \$131,715.37 and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$62,409.65 were presented to Council as per the following list.

Scheduled Expenditures Account

6130	Garvin Boward Beitko	Engineering Fees	\$164.00
6131	Lennon Smith Souleret	Engineering Fees	\$2,832.11
6132	Penn Landscape	Spring 2016 Planting	\$3,314.00
6133	Stefaniks Contracting	Sewer Repair	\$7,500.00
6134	Trans Associates	Traffic Study	\$0.00
6135	Trans Associates	Traffic Study	\$1,391.84
6136	Lennon Smith Souleret	Street Paving Project	\$47,207.70

Such bills were reviewed by Council. Mr. Schwend stated that check number 6136 was written in error to Lennon Smith Souleret rather than El Grande Industries, and that a new check would be drafted to El Grande Industries. Mr. Hofmann inquired about the Woodland Road sewer repair project. Mr. Schwend stated that the repair in question was an emergency repair and that the project included replacement of a fifteen foot section of the sewer line. Mr. Schwend stated that this project should alleviate the periodic flooding on the roadway that occurred on that specific stretch of Woodland Road. After further review and discussion, a motion was made by Mr. Hofmann with a second by Mr. Aloe that a voucher be drawn on the General Account in the amount of \$131,715.37 and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$62,409.65, was unanimously carried by all members in attendance.

TAX COLLECTOR'S REPORT for the month of July 2016 was presented to Council. After some review and discussion, this report was ordered received and filed.

DISTRICT JUSTICE REPORT for the month of July 2016 was presented to Council. District Justice Robert L. Ford, for District Court No. 05-03-02, reported remitting fines in the amount of \$768.55 to the Borough for the month. After review and discussion this report was ordered received and filed.

POLICE REPORT for the month of July 2016 was presented to Council. Chief English stated that the new full-time Patrol Officer, Nicholas Adrian, is settling in very well in his new role. After further review and discussion, this report was ordered received and filed.

FIRE REPORT for the month of July 2016 was presented to Council. After review and discussion this report was ordered received and filed.

PUBLIC WORKS REPORT for the month of July 2016 was presented to Council. Mr. Schwend stated that Mr. Fred Gregorich had recently made repairs to the salt shed in preparation for the upcoming winter. Mayor Murphy inquired about the metal plates on Meadow Lane. Mr. Schwend stated that the plates would be removed at some point in September. After further review and discussion this report was ordered received and filed.

BUILDING PERMIT and ZONING PERMIT REPORTS for the month of July 2016 were presented to Council. Mr. Hoeppe inquired about the building permit issued to Three Rivers Trust. Mr. Schwend stated that this specific permit was for a building foundation and that there would be an additional three permits to complete the project. After review and discussion this report was ordered received and filed.

QUAKER VALLEY COG REPORT – No report available.

MS4 UPDATE AND PUBLIC PARTICIPATION: Mr. Schwend discussed the results regarding the questionable orange substance that was located near Little Sewickley Creek. The testing was completed by Lennon Smith Souleret Engineering, and they concluded that the substance is naturally occurring from what is believed to be a spring with iron flow. No further action is required regarding the substance. Mr. Hofmann inquired about a half-page advertisement that Sewickley Borough had recently placed in the Sewickley Herald. Mr. Schwend stated that the advertisement was likely part of Sewickley's public outreach for their MS4 program. Mr. Schwend stated that there are many other methods that can be used to meet the public outreach requirements, including stormwater education and outreach on websites, in newsletters, and through educational pamphlets. Mr. Schwend stated that Edgeworth is currently using the aforementioned methods to fulfill its requirements.

CORRESPONDENCE:

- A. The monthly meeting minutes from the Edgeworth Municipal Authority were received and filed.
- B. The monthly meeting minutes from the Leetsdale Municipal Authority were received and filed.

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

The following visitors were present:

Diane Perino	7 Way Hollow Road
Dolores Perino	7 Way Hollow Road
James J. Perino	7 Way Hollow Road
Kirsten Jones	327 Nicholas Place
Jan McCormack	314 Myrtle Lane
Richard McCormack	314 Myrtle Lane
Westley Brooks	8 Way Hollow Road
Steven Victor	Victor Wetzels Associates
Gary Groom	608 Maple Lane
Mike Suchar	ACA Engineering
Don Graham	Dillon, McCandless, King Coulter & Graham
Donna Amato	309 Myrtle Lane
Pat Vescio	1001 Beaver Road, Sewickley PA
Tara Alexander	311 Challis Lane
Toni Lekanidis	304 Challis Lane

OLD BUSINESS:

ACTION CONCERNING VRG PLAN OF LOTS PROPOSED SUBDIVISION – 315 NICHOLAS PLACE: Mr. Hoepp re-introduced the proposal for a subdivision at 315 Nicholas Place by the VRG Group, and asked Mr. Schwend for an update on any changes since last month. Mr. Schwend stated that VRG representatives and concerned residents had met and communicated at various points over the last month. Mr. Schwend also stated that the same plan remains in place for VRG's proposed four lot subdivision. Mr. McCormack, representing many residents in attendance, discussed four proposals that he had for VRG regarding the proposed subdivision. First, Mr. McCormack asked that VRG limit the number of driveways to three instead of four. Second, driveway access to the intersection of Challis and Nicholas should be limited. Third, VRG should agree to a covenant that would disallow any further subdivision. Fourth, The Borough should enforce a no parking area on the abutting section of Nicholas Place. Mr. McCormack concluded by highlighting what he thought was a lack of cooperation between concerned residents and the developers and a lack of concern about safety of the neighborhood on the part of the applicant. Mr. Gary Groom representing VRG stated that he and his partners were concerned with the health and safety of all residents in the Borough. He stated that he would agree to practical solutions between concerned residents regarding the subdivision of 315 Nicholas Place. Solutions brought up by Mr. Groom included a no parking area on Nicholas Place, moving the locations of certain lot driveways, and adding various stop signs in order to ensure safe driving on the streets in question. Tara Alexander and Toni Lekanidis both expressed their concerns regarding on street parking availability and the safety of residents who often walk on Challis and Nicholas due to the poor condition of available sidewalks. Ms. Lekanidis also discussed her concerns regarding the speed limits on Nicholas Place and Challis Lane. Mr. Hoepp stated that the current speed limit of twenty-five miles per hour on Borough streets was the lowest that it could be under state law. Mr. Aloe discussed the idea of making Challis Lane and Nicholas Place one-way streets. Dr. Smith proposed the idea of adding speed bumps to Nicholas Place. Many residents expressed their concerns regarding the proposals. Mrs. Lekanidis inquired where contractors would park when development of the lots begins. Mr. Schwend stated that the Borough has the responsibility to maintain open and safe roadways and would enforce the safety of the streets when development begins. After further review and discussion a motion was made by Mr. Aloe with a second from Mr. Wilson to approve the VRG Plan of Lots subdivision contingent upon two requirements. First, no further

subdivisions could divide the Plan of Lots into more than four lots. VRG Group agreed to this. Second, the driveways and curbcuts shall be located in accordance with the recommendations from Trans Associates Engineering in their letter dated July 8, 2016. The VRG Group agreed to this condition. All present voted unanimously in favor of the motion.

ACTION CONCERNING APPROVAL OF CONSTRUCTING A COVERED PORCH ACCESSORY STRUCTURE 8 WAY HOLLOW ROAD – MR. WESTLEY BROOKS:

Mr. Don Graham representing Mr. Westley Brooks of 8 Way Hollow Road stated that Mr. Brooks is seeking approval to construct a covered deck on his property. Mr. Steven Victor, also representing Mr. Brooks stated that there were changes to the deck plan since the last meeting and that it was moved to a distance of 45' from the Perino property line. Mr. Hofmann asked if the original deck had a building permit on file with the Borough, and Mr. Schwend stated that there was not one on file. Mr. Victor discussed the flattened grade of the desired location of the deck and pointed out that it was the most suitable location on Mr. Brooks' lot. Mr. Hofmann inquired to why the original deck was taken out. Mr. Brooks stated that the original deck was structurally sound but the condition of the wood was aging, so he intended to replace it with a new larger deck. Mr. Mike Suchar, representing ACA Engineers, discussed test borings that were drilled on Mr. Brooks' property and the stability of the proposed location. Two borings were drilled where the deck would be placed, one was drilled where the proposed shed would be placed and a last one was drilled where the current 30 inch dry rock wall would be reinforced. Mr. Schwend inquired if any grading or disturbances would occur during the construction phase of the project. Mr. Suchar stated that the project would require small equipment and no grading would be necessary. Mr. Hofmann asked Mr. Suchar what would cause a landslide like the one that occurred at 7 Way Hollow Road in 2002. Mr. Suchar stated that water is the most common cause of landslides, but emphasized that other causes could contribute to a landslide occurring. Mr. Hofmann asked Mr. Brenden Lucas who would be responsible if a landslide occurred at the Perino's property. Mr. Lucas stated that the Borough would be covered under the Municipal Tort Act, and the legal dispute would be between the two neighbors. Mayor Murphy asked if a bond could be put in place during construction of the deck and for a time period after to ensure that the Perino's would be protected. Mr. Perino voiced his support for an implementation of a bond during construction. Mr. Jim Edson of Bartlett Tree Services was asked to describe the work he had done at 8 Way Hollow Road by Mr. Victor. Mr. Edson stated that he had removed three trees from the Brooks' residence over the course of multiple days. Ms. Diane Perino read a letter co-written by Dolores and James Perino of 7 Way Hollow Road. The letter discussed the idea of Mr. Brooks constructing the proposed covered deck on his adjacent lot, the Perino's concern with the placement of utility lines, and also highlighted the landslide that occurred on the Perino's property in 2002. Mr. Schwend indicated that this project requires two variances and a special exception from the Zoning Hearing Board. First, the proposed shed and deck are too close to the adjacent property line. Second, the proposed covered deck structure exceeds the square footage allotment for accessory structures. Third, Mr. Brooks would require a special exception to build in the Conservation Overlay district. Mr. Victor stated that one-third of the deck would be covered by a roof and emphasized the willingness to divert rainwater collected by the roof away from the Pittsburgh Red Bed formations and the Perino's property. Mr. Aloe recommended several solutions, including the following: Mr. Brooks should move deck further away from Perino's property, utility lines should be placed further away from Perino's property line, Mr. Brooks should create a bond while construction occurs and for a limited time after construction with the Perino's listed on the bond, the shed should be moved further away from the Perino's property line, water from the covered porch should be diverted away from the Perino's property and the "red beds", and the current 30 inch decorative wall should be reinforced to support the weight of the land above it. Mr. Hoepf proposed to table the issue in order to provide more time for Mr. Brooks and his engineers to clarify technical issues that were discussed in the meeting. A motion was made by Mr. Hofmann with a second by Mr. Marlovits to table the issue. All present voted unanimously in favor of the motion.

NEW BUSINESS:

ACTION CONCERNING ACADEMY GROUP SUBDIVISION: Academy Group Inc. withdrew their application for subdivision prior to Borough Council convening.

APPROVAL OF PARTIAL PAYMENT NO. 1 – 2016 ROADWAY AND STORM SEWER IMPROVEMENTS – CONTRACT #16-R01: Dr. Smith discussed the 2016 Roadway and Storm Sewer improvement program and highlighted the progress of the contractor, El Grande Industries. Dr. Smith stated that the Borough Engineer has reviewed the payment request, and recommended its approval. A motion was made by Dr. Smith with a second from Mr. Hofmann to approve partial payment number one of the 2016 Roadway and Storm Sewer Improvement Program. All present voted unanimously in favor of the motion.

OTHER BUSINESS:

ACTION CONCERNING 2016 ROADWAY CRACK SEALING PROGRAM: Mr. Schwend stated that after review and recommendation by the Borough Engineer, the Russell Standard Corporation had submitted the lowest bid per linear foot for the 2016 Roadway Crack Sealing Program. Mr. Schwend discussed the benefits of the crack sealing program, highlighting that the program would prevent water from seeping into the roadway therefore prolonging the life of Borough streets. A motion was made by Mr. Hofmann with a second from Mr. Aloe to award the 2016 Roadway Crack Sealing Program to the Russell Standard Corporation for 19,500 cubic feet of crack sealing at a cost of \$9,500.00. All present voted unanimously in favor of the motion.

ACTION CONCERNING ADDITIONAL PLANTING AND MAINTENANCE OF BOROUGH STORAGE YARD SCREENING: Mr. Schwend presented Council with a report from Mr. Joe Hajnas of Joseph Hajnas Associates, Inc. The report called for additional planting of trees landscaped with woodchips and spaced six feet apart on top of the mound, and called for extensive knotweed remediation and maintenance. Mr. Schwend stated that to maintain and control the knotweed would be both costly and time consuming for the Public Works Department. A motion was made by Mr. Aloe with a second from Mr. Hofmann to approve the additional planting at the Borough storage yard. All present voted unanimously in favor of the motion.

EXECUTIVE SESSION: Council entered Executive Session at 10:05 p.m. to discuss a litigation matter. Council reentered regular session at 10:20 p.m.

There being no further business, the meeting on motion duly made and seconded was adjourned at 10:20 p.m.

John F. Schwend – Borough Manager/Secretary