

EDGEWORTH BOROUGH COUNCIL
REGULAR MEETING MINUTES
July 19, 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 June 21, 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 June 21, 2016. All present voted unanimously in favor of the motion.

Due to the larger than usual crowd in attendance, Mr. Hoopp moved Items A, B, and C from New Business forward in the agenda.

ACTION CONCERNING RESOLUTION 2016 – 04 – A RESOLUTION OF APPRECIATION AND RECOGNITION BY THE BOROUGH OF EDGEWORTH TO CORPORAL TIMOTHY MARSHALL UPON HIS RETIREMENT: Mr. Hofmann, Chairman of the Police Committee congratulated Corporal Timothy Marshall on his thirty-one year tenure with the Edgeworth Borough Police Department. Mayor Murphy highlighted the courteous and resident-first attitude that Corporal Marshall displayed while working for the Borough. A Proclamation was read by Mayor Murphy in honor of Corporal Marshall. A motion was made by Mr. Hofmann with a second from Mr. Aloe to formally accept the resolution of appreciation. All present voted unanimously in favor of the motion.

ACTION CONCERNING APPOINTMENT OF NICHOLAS ADRIAN AS FULL TIME PATROL OFFICER: Mr. Hofmann discussed the meticulous hiring process that Edgeworth had undergone to hire a full-time patrol officer. Mr. Hofmann discussed Mr. Nicholas Adrian's background including his experience while working as a part-time patrol officer for the Edgeworth Police Department. After a recommendation from the Police Committee and Chief John English, a motion was made by Mr. Hofmann with a second by Mr. Aloe to appoint Mr. Adrian to the position of full-time patrol officer. All present voted unanimously in favor of the motion. Mayor Murphy then issued the oath of office to Mr. Adrian.

ACTION CONCERNING THE PROMOTION OF CORPORAL JOHN BURLETT: Chief John English spoke of the exceptional work and effort that Corporal Burlett has demonstrated to the Edgeworth Police Department over his many years of service. Mr. Hofmann echoed the Chief's comments and gave high praise to the men and women who comprise the entire Edgeworth Police Department. After further discussion a motion was made by Dr. Smith with a second by Mr. Hofmann to promote Corporal John Burlett to the position of Sergeant in the Edgeworth Police Department. All present voted unanimously in favor of the motion.

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

INVESTMENT REPORT as of July 19, 2016 was presented to Council. After review and discussion, this report was ordered received and filed.

FINANCIAL REPORT for the month of June 2016 was presented to Council. After further review and discussion, the report was ordered and filed.

BILLS PAYABLE for the month of July 2016 in the amount of \$133,700.00 and a voucher be drawn on the Schedule Expenditures Account in the amount of \$137,768.25 were presented to Council as per the following list.

Scheduled Expenditures Account

6128	Garvin Boward	Engineering Fees	\$2,768.25
6129	Scott & Ryan Fetterolf	Settlement Payment	\$135,000.00

Such bills were reviewed by Council. 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 \$133,700.00 and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$137,768.25, was unanimously carried by all members in attendance.

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

DISTRICT JUSTICE REPORT for the month of June 2016 was presented to Council. District Justice Robert L. Ford, for District Court No. 05-03-02, reported remitting fines in the amount of \$1,160.96 to the Borough for the month. After review and discussion this report was ordered received and filed.

POLICE REPORT for the month of June 2016 was presented to Council. After some review and discussion, this report was ordered received and filed.

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

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

BUILDING PERMIT and ZONING PERMIT REPORTS for the month of June 2016 were presented to Council. 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 stated that Lennon Smith Souleret Engineering had tested a discharge that a resident had noticed near Little Sewickley Creek, and that the street sweeper would be in town again to clean the streets. Mrs. Duffield asked if the Public Works department should require residents to remove their cars from the street during annual cleanings. The Public Works Superintendent, Mr. Fred Gregorich, stated that it would be difficult to enforce the removal of all vehicles on certain streets. Mr. Schwend discussed the possibility of using the Reverse 911 system to notify residents on streets that would be cleaned. After further review and discussion this report was ordered received and filed.

CORRESPONDENCE:

- A. The monthly meeting minutes from the Edgeworth Municipal Authority were received and filed.
- B. Shelly Clement – Building Code Board of Appeals: Mrs. Shelly Clement and her husband will be moving out of Edgeworth. Because of this, Mrs. Clement will no longer be able to serve on the Building Code Board of Appeals. Mr. Hoepf thanked Mrs. Clement for her service to the Borough and stated that a search for a replacement member on Building Code Board of Appeals would begin.
- C. Gail Murray – Historic Preservation: Mrs. Gail Murray began discussion regarding historical preservation in Edgeworth Borough. Mrs. Murray brought photographs and discussed her concerns regarding public perception of historical zoning. Mrs. Murray requested that a representative from the Pennsylvania Historical and Museum Commission make a presentation to Borough Council and interested residents regarding the matter. She expressed her desire for further education for both herself and the Borough on the topic. Mr. Schwend stated that he would reach out to the representative of the Society and place him on a future Council agenda. Mr. Peter Friday stated that he was not pleased with the idea of historical zoning in Edgeworth and discussed the rights of property owners in the Borough. He stated that he believes it is difficult to define what is historic, and that property owners should be given respect for what they do with their properties. Mr. Friday stated that if historic zoning legislation is proposed, there would be a large group of residents opposed to it. Mr. Tomana discussed legislation regarding historical zoning and stated that they are in the information gathering stage. Mr. Hofmann was hopeful for a thoughtful discussion on both sides of the issue in future Council meetings.
- D. David Genter – Contractor Work Hours: Mr. David Genter discussed concerns about noise and the hours that landscape contractors are permitted to work in the Borough, especially in regards to the noise generated in the evening hours of Fridays and Saturdays. Mr. Hofmann discussed the current noise ordinance. Mr. Schwend stated that residents using personal lawn equipment are exempt from the Borough noise ordinance however; contractors must obey the noise restrictions and hour restrictions. Mr. Hoepf stated that the Property Committee would look further into the issue of contractor work hours, in particular during weekends.

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

The following visitors were present:

Lauren Adrian	Andrew Burlett
Kate Brown	Jesse Burlett
Nancy Brown	Dolores Burlett
Bob Brown	Casey Burlett
Jackie Rycyna	Bonny Burlett
Madeline Rycyna	Peter Friday
Nathan Rycyna	Janice McCormack
Andrea Hoover	Richard McCormack
Walker Hoover	Mike Tomana
Aaron Adrian	Kirsten Jones
Dolores Perino	Dafyd Jones
James J. Perino	Kristi Yeager
Diane M. Perino	Tara Alexander
Timothy Marshall	David L Genter
Jean Marshall	Gail Murray
David J. Pavalakovich	Bill Lang
Fred Gregorich	Stephen Jurman

Mr. Steven Victor representing Three Rivers Trust of 21 Little Sewickley Creek Road discussed the desire for his clients to use their easement in Walker Park near Shelter 1 to bury an underground electric line in order to provide electricity to a building that will be constructed on a property adjacent to the park. The proposed structure in Leet Township would be used as a sugar shack for maple syrup production. Mr. Lucas stated that he would like for Mr. Victor to draft an agreement regarding the use of the structure and the access to it through their easement in the park. Mayor Murphy inquired about the future of the structure and the access to it. Mr. Victor stated that the operation would be seasonal and the production would not be for commercial use. Mr. Schwend stated that construction vehicles have been parking in the parking lot of Shelter 1, and a plan should be made to have these vehicles park on the property where the work is being done. Borough Council stated that the professional staffs would work together in attempt to reach an agreement in regards to the parking and construction strategies moving forward.

OLD BUSINESS:

ACTION CONCERNING VRG PLAN OF LOTS PROPOSED SUBDIVISION – 315 NICHOLAS PLACE: Mr. Hoepp introduced the project again to Council and asked the residents in the audience if they would like to comment. Mrs. Kristi Yeager began the conversation by stating that she wanted safety and the aesthetic nature of her street to be maintained and considered by Council during this decision. Mrs. Yeager also voiced her concerns regarding stormwater management and the potential development that would occur on the proposed subdivided lots. Ms. Tara Alexander discussed the option of a revised plan and her desire for fewer lots to be created by VRG. Ms. Alexander also inquired about the Borough conducting another traffic study. Mr. Tony Laconda discussed safety and traffic concerns that he and many other residents had regarding the proposed subdivision. Mr. Laconda also mentioned the lack of clear sidewalks on Nicholas Place and Challis Lane which forces many people, including children to walk in the streets. Mrs. Holly Hampe stated that she was concerned with the number of proposed lots and hoped for a reduction by VRG down to three lots. Mr. McCormack echoed the concerns of many of the residents in attendance. He also stated that he and Mr. Todd Waldo had met with the developer of the proposed subdivision and was hopeful that these discussions would continue given more time. Mr. McCormack proposed to Borough Council that they table their decision until the August regular council meeting. Mr. George Patterson embraced development occurring at 315 Nicholas Place, but voiced his concern with the overall VRG plan. He stated that the number of lots proposed worried him. Mr. Hoepp addressed the concerns regarding the overall development of the lots by stating that the issue at hand was a subdivision and future building permits would need to be obtained. Mr. Hoepp reassured residents that whoever develops the lots would be responsible for following the Borough's building code, permitting processes, and stormwater ordinances. Mr. Hofmann voiced his concerns for the subdivision proposal, but stated that it would be difficult to deny because it meets all of the Borough's requirements. Mrs. Duffield also voiced her concerns but stated that through her extensive research she had yet to find any grounds on which to deny the proposal. Mr. Aloe asked if Mr. Vescio would consider reducing his plan to three lots. Mr. Vescio stated that he would not do so. A motion was made by Mr. Hofmann with a second from Mr. Aloe to table the issue until Borough Council's August meeting in order to give the applicant more time to continue dialogue with the interested neighbors. All present voted unanimously in favor of the motion.

NEW BUSINESS:

ACTION CONCERNING ESTABLISHMENT OF THE POSITION OF POLICE COMMUNICATIONS LEAD DISPATCHER: Mr. Wilson received a recommendation from Chief English to establish the position of Police Communications Lead Dispatcher. Chief English stated that Mr. Dan Boyles has handled the duties listed in the job description for many years. The new position will entail administrative support and annual reviews of the police dispatchers in the department. The Chief also discussed Mr.

Boyles' work ethic and his willingness to help residents in the Borough. A motion was made by Mr. Wilson with a second from Mr. Hofmann to approve the position of Police Communications Lead Dispatcher. 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. Schwend introduced the project and discussed the covenant requirements set forth in the Macleod Subdivision and the Borough Council's role in the process. Mr. Steven Victor discussed the restrictive covenant on Mr. Westley Brooks' property and discussed what was being proposed on Mr. Brooks' property. He illustrated what was to be constructed and where the structures would be placed on the property. Mr. Victor stated that both the applicant's geotechnical engineer and the Borough geotechnical engineer had reviewed the current plans at the Brooks' property. Mr. Aloe discussed the "Red Bed" shale that was underneath much of Way Hollow Road. Mr. Aloe also asked if Mr. Brooks could move the proposed deck further away from the Perino Residence. Mr. Steven Jurman representing the Perino's stated that any accessory use needs to be 100 feet from any property line in the Conservation Overlay District. He requested that the Brooks' move their proposed deck an additional 70 feet further away from the initial proposed location. Mr. Jurman also discussed a landslide that occurred on the Perino property in 2002. Mrs. Dolores Perino stated that she witnessed in February of 2016 the removal of many trees over the course of several days. Ms. Diane Perino read a letter written by her parents airing their concerns regarding the location of the Brooks' accessory structures. A motion was made by Mr. Hofmann with a second by Mr. Aloe to table the issue until the August Council meeting for further review and discussion. All present voted unanimously in favor of the motion.

EXECUTIVE SESSION: Council entered Executive Session at 10:10 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