

EDGEWORTH BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
March 19, 2024

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MEETING was called to order at 7:00 p.m. with Council President Joseph T. Hoepp presiding and the following members of Council and officials of the Borough present: Mr. Joseph T. Hoepp, Mr. Ivan T. Hofmann, Mr. Gregory J. Marlovits, Mr. Daniel S. Wilson, Mrs. Elizabeth H. Genter, Rev. Rebecca M. Cartus, Borough Manager John F. Schwend, and Mr. Brendan Lucas representing the Borough Solicitor.

MINUTES of the Regular Meeting held on February 20, 2024 were presented to Council. After discussion, a motion was made by Mr. Wilson with a second by Mr. Hofmann to approve the Regular Meeting Minutes from February 20, 2024. All present voted in favor of the motion.

Mr. Hoepp noted a change in the Agenda, and stated that Council would hear the presentation from Maher Duessel regarding the 2023 Borough Audit, and the Creek Drive GEDTF Grant Audit.

ACTION CONCERNING 2023 BOROUGH AUDIT: Mr. Brian McCall from Maher Duessel provided an overview of the Borough's audit in regulatory format for 2023, and stated that the audit team was able to obtain reasonable assurance over the Borough's financial statements. No adjusting entries were necessary, and the Borough received a clean, unmodified opinion from the auditors. Mr. McCall stated that tax and revenue sources were consistent with prior years, noting that the balance between property tax and earned income tax revenues in the Borough is almost even. He explained that expenses were in line with the approved budget, with minor increases due to wages and benefits. Mr. Wilson stated that the Finance Committee met with Maher Duessel to review the audit prior to the meeting, and thanked Maher Duessel for their hard work and professionalism. After brief discussion, a motion was made by Mr. Wilson with a second from Mrs. Genter to approve the 2023 Borough Audit performed by Maher Duessel, and to place the legal advertisement in the paper of record as required. All present voted in favor of the motion.

ACTION CONCERNING GEDTF GRANT AUDIT: Mr. McCall stated that Maher Duessel also performed an audit on the GEDTF grant awarded to the Borough for the Creek Drive Streambank Restoration project. He explained that the audit team found that the Borough was in compliance with all regulations, and issued an unmodified opinion. Mrs. Genter asked whether each grant awarded to the Borough requires an audit. Mr. Schwend stated that grant awards exceeding \$100,000 necessitate an audit to be performed. After brief discussion, a motion was made by Mr. Wilson with a second from Mrs. Genter to approve the GEDTF Grant Audit performed by Maher Duessel. All present voted in favor of the motion.

TREASURER'S REPORT for the month of February 2024 was presented to Council. After discussion, this report was ordered received and filed.

FINANCIAL REPORT for the month of February 2024 was presented to Council. After review and discussion, this report was ordered received and filed.

BILLS PAYABLE for the month of March 2024 were presented to Council as follows: General Expenditures, in the amount of \$211,203.89 and Scheduled Expenditures, in the amount of \$4,640.90 were presented to Council as per the following list.

Scheduled Expenditures Account

165	Klug Plumbing LLC	Maintenance Repair	\$1,000.00
166	Robert Crusan	Arborist Fees	\$1,890.00
167	Ferguson Enterprises	Water Fountain	\$1,587.90
168	Matthews International	Memorial Plaque	\$163.00

After some discussion, a motion was made by Mr. Wilson with a second by Mr. Hofmann that a voucher be drawn on the General Account in the amount of \$211,203.89, and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$4,640.90. The motion was unanimously carried by all members in attendance.

REAL ESTATE TAX COLLECTOR'S REPORT for the month of February 2024 was presented to Council. Jordan Tax Service reported collecting real estate taxes in the amount of \$5,936.14. After some review and discussion, this report was ordered received and filed.

DISTRICT JUSTICE REPORT for the month of February 2024 was presented to Council. District Justice Guiseppe Roselli, for District Court No. 05-03-02, reported remitting fines in the amount of \$471.84 to the Borough for the month. After discussion, this report was ordered received and filed.

POLICE REPORT for the month of February 2024 was presented to Council. After discussion, this report was ordered received and filed.

FIRE REPORT for the month of February 2024 was presented to Council. After review and discussion, this report was ordered received and filed.

PUBLIC WORKS REPORT for the month of February 2024 was presented to Council. Mr. Schwend stated that the Public Works crew identified a structural deficiency in the foot bridge located in Walker Park, and have temporarily closed it as a safety measure, however the closure does not impact mobility around the park. After discussion, this report was ordered received and filed.

BUILDING PERMIT AND ZONING PERMIT REPORTS for the month of February 2024 were presented to Council. After discussion, the reports were ordered received and filed.

MS4 UPDATE AND PUBLIC PARTICIPATION for the month of February 2024 was presented to Council. After discussion, the report was ordered received and filed.

QUAKER VALLEY COG REPORT for the month of February 2024 was presented to Council. After discussion, this report was ordered received and filed.

CORRESPONDENCE:

- A. Minutes from the Edgeworth Municipal Authority meeting were received.
- B. Minutes from the Leetsdale Municipal Authority meeting were received.
- C. Correspondence from Mr. Fred Gregorich was received.

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

Mr. Hugh St. Martin – 609 Maple Lane  
Mr. Charles Harris – 526 Irwin Drive  
Ms. Darlene Nowak – 526 Irwin Drive  
Mr. Bill Lang – 617 Maple Lane  
Ms. Mercedes Burgh – 208 Quaker Road  
Mrs. Elena Chiappa – 403 Quaker Road  
Ms. Anna Zappala – 331 Woodland Road  
Mrs. Kristen Singer – 506 Beaver Road  
Mrs. Collette Walsh – 428 Woodland Road  
Mrs. Mary Ferris – 106 Woodland Road  
Ms. Amanda Wright – 2034 Henry Road, Sewickley Hills  
Mr. Brian McCall – Maher Duessel

OLD BUSINESS:

No Old Business was discussed.

NEW BUSINESS:

ACTION CONCERNING AWARD OF CONTRACT NO. 23-R01 – BEAVER ROAD BRIDGE

IMPROVEMENTS: Mr. Schwend stated that two bids were received for improvements to the Beaver Road Bridge, from Independent Enterprises, Inc. in the amount of \$325,650.00, and from N&N Landscaping, LLC in the amount of \$347,404.11. Mr. Schwend explained that the bids received were significantly higher than the probable cost estimate of \$257,156.00, with notable cost differences in the price for manhole installation, traffic control, concrete end walls, and the guiderail. After consultation with the Borough Engineer, Mr. Schwend recommended reducing the scope of the project to necessary structural repairs only, and rebidding the work. Mr. Hofmann asked whether only having two bidders on the project was worrisome. Mr. Schwend stated that the project has unique challenges, however the cost and installation of the guardrail was prohibitive due to the specialized nature of the installation. After discussion, a motion was made by Mr. Hofmann with a second from Mr. Wilson to reduce the scope of the Beaver Road Bridge project to only structural and concrete repairs, and not to include the installation of the guardrail on top of the bridge. All present voted in favor of the motion.

DISCUSSION REGARDING ZONING ORDINANCE REVISIONS: Mr. Schwend stated that upon review of the current Zoning Ordinance, several proposed changes were drafted, including: establishing standards for medical marijuana dispensaries and growing facilities as Conditional Uses in the C-1 Zoning District; creating restrictions for potential recreational marijuana facilities in the event that such facilities are legalized by the Commonwealth in the future; allowing for and regulating the installation of rooftop solar shingle systems; amending the definition of “Front Yard” for houses with property lines extending between Oliver Road and Beaver Road to establish frontage on Oliver Road; amending the definition of “human occupancy” for accessory structures; and amending the procedures for Conditional Use applications to add general health, safety and welfare standard criteria. Mr. Hoepf asked whether the proposed changes to medical marijuana dispensary standards have been implemented in other municipalities. Mr. Lucas stated that successful ordinances had been adopted across the state. Mr. Marlovits asked how human occupancy is currently defined in the Zoning Ordinance. Mr. Schwend explained that a space that could be reasonably be utilized as overnight accommodation, such as containing heat, electricity, and bathroom facilities, is considered human occupancy. This precludes accessory structures as being used as gathering space too close to a property line. Mr. Wilson suggested

consulting with members of the Zoning Hearing Board while drafting the proposed changes. After further discussion, Mr. Hoepf directed the matter to the Property Committee for review.

OTHER BUSINESS:

WAY PARK EVENT REQUEST: Mrs. Kristen Singer contacted the Borough and requested the use of Way Park for public and family events on a weekly basis throughout the summer months. Mrs. Singer and Mrs. Collette Walsh addressed Council and stated that they believe Way Park is underutilized, and would be the ideal location for families to gather in the summer. The request included the use of food trucks, bistro tables, local vendors, music groups, and other entertainment opportunities. Mr. Schwend explained that all three Borough parks, including Way Park, contain deed restrictions on allowable use, and Way Park is intended only for individual enjoyment as an ornamental parkland. Expressly prohibited activities in Way Park include athletic and sport events, distributing fliers or pamphlets, or putting up structures. Rev. Cartus asked how previous events were permitted in the park, such as the 2004 Centennial celebration. Mr. Lucas explained that singular, short-term events, such as the Centennial celebration or the Borough's Easter Egg Hunt could questionably violate the deed restrictions, however recurring, organized, entertainment-based events such as those outlined in the request could be challenged by the heirs of the family who donated the park to the Borough. Rev. Cartus stated her admiration for the idea of community events, but expressed concern about the lack of bathrooms, electricity, and other infrastructure in Way Park. Mr. Marlovits commended the residents' enthusiasm, however he stated that Way Park is not permitted for such a use. Mrs. Walsh asked if there was any other location in the Borough that could host such events. Mr. Hoepf stated that Walker Park has the space and infrastructure capable of holding the requested event, and explained that the deed restrictions on that park only relate to signs. Mrs. Walsh stated that Walker Park is not easily accessible by foot, and expressed concern with people being willing to drive to the location. Mrs. Genter stated that Walker Park could house the food, entertainment, and music aspects of the event, and noted that four shelters are located in the park with ample parking areas. Ms. Amanda Wright stated that while she appreciated the recommendation to use Walker Park, the suggestion does not coalesce with the purpose of a centrally-located, community event. She also expressed concern with the proximity to Little Sewickley Creek, and closure of the foot bridge previously mentioned in the meeting. Mr. Schwend explained that the foot bridge runs over a very small tributary of the creek, and all aspects of the park are accessible without the bridge until it is repaired. Mrs. Walsh asked whether a food truck could park on the street next to Way Park at any time. Mr. Schwend stated that no commercial activity is permitted in residential neighborhoods, with the exception of neighbors who are granted a special event permit for the purpose of a block party. Mrs. Singer asked if an event in Way Park would be allowed if no food or drink is served. Mr. Schwend stated that organized events are not permitted in the park, and any such event would be stopped. After further discussion, Council thanked the requesters for their idea and reiterated that such uses are not permitted in Way Park.

EXECUTIVE SESSION:

Council entered Executive Session at 8:15 p.m. to discuss a legal matter, and returned to regular session at 8:20 p.m.

There being no further business, the meeting on motion duly made and seconded was adjourned at 8:21 p.m.

John F. Schwend – Borough Manager