

EDGEWORTH BOROUGH COUNCIL
REGULAR MEETING MINUTES
August 21, 2018

MEETING was called to order at 7:00 p.m. with Council President Joseph T. Hoeppe presiding and the following members of Council and officials of the Borough present: Mr. Joseph T. Hoeppe, Mr. David T. Aloe, Ms. Carrie Duffield, Mr. Daniel S. Wilson, Mr. Gregory Marlovits, Borough Manager John F. Schwend, Mayor Gary L. Smith and Mr. Brendan Lucas, Esq., representing the Borough Solicitor.

MINUTES of the Regular Meeting held on July 17, 2018 were presented to Council. After some discussion, a motion was made by Mr. Wilson with a second by Mr. Aloe to approve the Regular Meeting Minutes from July 17, 2018. All present voted unanimously in favor of the motion.

TREASURER'S REPORT for the month of July 2018 was presented to Council. After review and discussion, this report was ordered received and filed.

INVESTMENT REPORT as of August 21, 2018 was presented to Council. After review and discussion, this report was ordered received and filed.

FINANCIAL REPORT for the month of July 2018 was presented to Council. After review and discussion, this report was ordered received and filed.

BILLS PAYABLE for the month of August 2018 were presented to Council as follows: General Expenditures, in the amount of \$141,902.54 and Scheduled Expenditures, in the amount of \$24,657.10 were presented to Council as per the following list.

Scheduled Expenditures Account

6282	Garvin Boward Beitko	Engineer Services	\$3,007.25
6283	Jase Construction Services	Rain Garden – Salt Shed	\$5,000.00
6284	Lennon Smith Souleret	Engineer Services	\$2,701.35
6285	Penn Landscape & Cement	Sidewalk Repair Program	\$13,948.50

After further discussion, a motion was made by Mr. Aloe with a second by Mr. Wilson that a voucher be drawn on the General Account in the amount of \$141,902.54 and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$24,657.10. The motion was unanimously carried by all members in attendance.

TAX COLLECTOR'S REPORT for the month of July 2018 was presented to Council. After some review and discussion, this report was ordered received and filed.

DISTRICT JUSTICE REPORT for the month of July 2018 was presented to Council. District Justice Robert L. Ford, for District Court No. 05-03-02, reported remitting fines in the amount of \$883.86 to the Borough for the month. After review and discussion this report was ordered received and filed.

POLICE REPORT for the month of July 2018 was presented to Council. Mayor Smith inquired regarding the no trespassing signs placed at the tunnel leading to the leaf compost facility. Chief

English stated that the tunnel serves as an access point for the Public Works Department to reach the leaf compost facility. Chief English highlighted flash flooding and other dangerous conditions that make the tunnel unsafe for public access. After some discussion, the report was ordered received and filed.

FIRE REPORT for the month of July 2018 was presented to Council. President Hoepp commented on the high number of fallen trees indicated on the fire report. After further review and discussion this report was ordered received and filed.

PUBLIC WORKS REPORT for the month of July 2018 was presented to Council. Mr. Schwend highlighted the updated street sign design and stated that they would be installed throughout the Borough over the course of the next few months. Ms. Duffield mentioned a number of unused utility poles in front of various properties in the Borough. Mr. Schwend commented that utility providers are mostly unresponsive when asked to remove old poles, but stated that he would reach out to the representatives of all three utility companies to request that unused poles are removed from the Borough's right-of-way. After further discussion, the report was ordered received and filed.

BUILDING PERMIT and ZONING PERMIT REPORTS for the month of July 2018 were presented to Council. Mr. Schwend briefly reviewed the cases slated for the September 13, 2018 meeting of the Zoning Hearing Board. After some discussion these reports were ordered received and filed.

MS4 UPDATE AND PUBLIC PARTICIPATION: President Hoepp opened the meeting for public comment on the topic of stormwater by reviewing the July MS4 report. Mr. Schwend commented that on August 11, 2018 the Quaker Valley COG hosted an MS4 booth to inform and educate visitors at the Wizardvue festival that took place in Bellevue Borough on the topic of stormwater. With there being no further input, the report was ordered received and filed.

QVCOG EXECUTIVE DIRECTOR'S REPORT: for the month of July 2018 was presented to Council. Mr. Wilson inquired regarding an update on the newly implemented COG bylaws. Mr. Schwend stated that the COG Board had appealed an amendment to the bylaws regarding dues requirements for any potential departing member of the COG. Mr. Schwend also stated that a large contingency of members in the COG expressed their apprehension regarding a potential 2019 dues increase. Mr. Schwend highlighted that the COG would be evaluating cost saving measures to avoid a budget shortfall in 2019. After further discussion, the report was ordered received and filed.

CORRESPONDENCE:

- A. Minutes from the Edgeworth Municipal Authority were received.
- B. Minutes from the Leetsdale Municipal Authority were received.
- C. The Cochran Hose Company submitted their annual relief association compliance audit for Borough Council to review. After discussion, this report was ordered received and filed.

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

The following visitors were present:

Mr. Shawn Wingrove

Lennon Smith Souleret Engineering

Mr. William Lang	617 Maple Lane
Mrs. Andrea Aloe	504 Beaver Road
Mrs. Ruth Hofmann	108 Woodland Road
Mr. John Adkins	Late Seventies Productions LLC

OLD BUSINESS:

ACTION CONCERNING AWARD OF BID FOR CONTRACT NO. 01-18 FOR THE BEAVER ROAD WALL REPAIR: President Hoepf opened discussion by reviewing prior dialogues regarding the Beaver Road wall repair. Mr. Schwend stated that he had reached out to the contractor, GeoBuild, LLC, to seek possible cost reduction measures which included an itemized breakdown of the aesthetic upgrades which were a bid item of Contract No. 01-18. According to Mr. Schwend, the cost of completing the wall with a dyed concrete finish would be no more than \$13,000, while the stamped finish of the wall would amount to \$61,776.25. Mr. Schwend stated that GeoBuild had solicited additional bids for the stamping, but due to the specialization of wall stamping and the time of construction season they were unable to locate a more competitive offer. Mr. Hoepf highlighted the labor intensive nature of stamping as the primary reason for the aesthetic project's cost. Mr. Schwend stated that he had discussed the price breakdown of the wall's aesthetic upgrades with the abutting residents and highlighted their apprehension on signing an agreement that did not include a stamped wall finish. Mr. Aloe voiced his support of continuing to use Gabion baskets to repair the wall as needed, citing the effectiveness of the technique for the recent emergency repairs. Mr. Aloe also highlighted signs of the wall's potential failure adjacent to 426 Oliver Road, specifically citing the deterioration of the curb line and visible water drainage into the sidewalk area. Mr. Aloe concluded by stating that if a permanent repair was needed at all, it would be adjacent to 426 Oliver Road. Mr. Shawn Wingrove of Lennon, Smith, Souleret Engineering Inc. discussed the Beaver Road wall monitoring program, stating that there has been slight, but uniform movement of about one inch over the entirety of the monitored area. According to Mr. Wingrove, with the current calculations, it is difficult to determine exactly which portion of the wall is more susceptible to failure. Mr. Wingrove highlighted that Gabion baskets are not a structurally satisfactory long-term fix for the Beaver Road wall. Mr. Hoepf emphasized the need to get the wall repaired as soon as possible, citing the lack of decisive action regarding the wall over the last ten years. Mr. Wilson expressed his apprehension awarding the contract with just one bid being received and stated that re-bidding the project may yield more interest and reduce costs in the spring of 2019. Highlighting the inconclusiveness of which portion of the wall needs repaired first, Mr. Schwend discussed the idea of consolidating the repair of the Beaver Road wall into one project that could be put out for bid in early spring 2019. Mr. Schwend highlighted the mobilization savings as well as increased interest from contractors that a larger project may bring. Mr. Schwend acknowledged the risk of waiting to repair the wall as well as the potential that additional construction contractors may not bid in the spring. Mr. Schwend discussed the hesitancy of some property owners to sign an agreement that did not include dyeing and stamping the wall due to the precedent that it would set for all neighbors abutting the Beaver Road wall. Ms. Duffield recommended a proposal that included adjacent property owners decorating their respective portion of the wall with vines or decorative stone of their choosing if they were unhappy with the dyed concrete finish. Mr. Hoepf highlighted that the current bid was slightly lower than the Borough Engineer's projection and also stated that the bids may not be as favorable next year. Mr. Hoepf agreed that Mr. Schwend's plan to consolidate was logical; but also highlighted that it would be risky not to begin to repair the wall as soon as possible. After further discussion, Mr. Brendan Lucas highlighted that if the Borough would repair their wall without a written agreement of the adjacent property owners, the Borough would need to file paperwork to begin the land acquisition process. According to Mr. Lucas, the timeline required for acquiring the land would fall outside of the bid contract window of 90 days after formal bidding. Noting the legal ramifications of awarding the contract without an agreement from the neighbors, Mr. Schwend recommended tabling the discussion until the September Council meeting. After some further discussion, the matter was tabled until the September 18th meeting.

NEW BUSINESS:

POLLUTION REDUCTION PLAN (PRP) PUBLIC COMMENT: Mr. Schwend reviewed the proposed Pollution Reduction Plan under review for the Borough's upcoming individual NPDES permit. Mr. Schwend discussed parameters of the PRP including sectional stream restoration of Way Hollow Run. Mr. Schwend also highlighted the advertising requirements for the PRP and stated that the public would be able to review and comment on all documents included in the PRP through September 15, 2018. Mr. Schwend concluded by stating that the Borough would need to budget for these pollution reduction measures over the next five years.

ACTION CONCERNING CHANGE ORDER NO. 2 FOR CONTRACT NO. 14-S1 LITTLE

SEWICKLEY CREEK SEWER EXTENSION: Mr. Schwend began discussion by stating that the sewer extension project had been completed. Mr. Schwend stated that due to an alteration from the original plans, the contractor had enacted cost saving measures by directionally drilling under the road as opposed to trench cutting the area. The proposed change order will reduce the cost of the original agreement in the amount of \$37,847.00. After some discussion, a motion was made by Mr. Aloe with a second by Mr. Wilson to approve change order No. 2 for contract No. 14-S1 Little Sewickley Creek Sewer Extension. The motion was unanimously carried.

OTHER BUSINESS:

REQUEST FOR EXEMPTION FROM CHAPTER 121-7 OF THE CODE OF THE BOROUGH OF EDGEWORTH REGARDING WORK HOURS IN THE BOROUGH – LATE SEVENTIES

PRODUCTION LLC: Mr. John Atkins representing Late Seventies Production LLC came before Borough Council seeking an exemption from Chapter 121-7 of Edgeworth's Borough Code regarding permissible contractor work hours. Mr. Atkins briefly explained the film project "Mindhunter" and stated that the company has proposed to have a scene filmed at the Edgeworth Club on September 7, 2018. Mr. Atkins expressed his desire to film the project on the Edgeworth Club's premises between the hours of 4 p.m. and 4 a.m. leading into September 8th. Mr. Atkins highlighted that the Edgeworth Club had agreed to let Late Seventies Production LLC film on their property during the aforementioned timeframe and stated that all abutting property owners had been informed of and signed off on the project occurring after permissible contractor hours. Mr. Atkins also described where the production crew would park their equipment and stated that all cast and extras would be shuttled in from Sewickley to minimize the parking impact of the project in Edgeworth Borough. Mr. Schwend stated that permissible contractor work hours on Friday and Saturdays in the Borough are from 7 a.m. to 5 p.m. Ms. Duffield inquired regarding the Liquor Control Board noise exemption that has been under the Borough's enforcement since 2016. Mr. Schwend stated that the Borough is responsible for monitoring and enforcing its own noise ordinance regarding the Edgeworth Club and highlighted that he was not aware if the current Club's manager was aware of the potential impact that this restriction may have during the film production. Mr. Atkins highlighted the inherent necessity to maintain a quiet set during film production and expressed his intent on following any noise standard that would be applicable during the project. Mr. Aloe expressed his apprehension concerning any film project occurring in the Borough, highlighting his prior experience as a property owner who had agreed to let multiple projects be filmed at his home in the past. Mr. Atkins apologized for any negative experience that Mr. Aloe had experienced in the past and stated that he intended on following all rules set forth by Borough Council. President Hoepf inquired regarding placement of any potential generators. Mr. Atkins stated that one film generator would be placed in the rear of the Edgeworth Club's property on an access road. Mr. Schwend stated that a generator was not indicated on the required site plan for the proposed project. Mr. Atkins apologized for not indicating the placement of generator and emphasized the technological advancement and quiet nature of the generator which would be necessary for an advanced film production. Ms. Duffield expressed her apprehension

regarding the placement of the generator. Mr. Schwend stated that all abutting Sewickley residents should sign off expressing their approval of the project prior to Borough Council considering granting an exemption. President Hoeppe stated that he would like to see a formal letter indicating that the Edgeworth Club is aware of the noise ordinance restrictions prior to permitting the project to take place. Mr. Marlovits stated that he was in favor of the project, highlighting positive experiences that he has had in the past with film productions. Mr. Wilson echoed the sentiments of Mr. Marlovits. Mayor Smith expressed his support of the project stating that the project may be a positive experience for all neighboring property owners and others involved. After further discussion, a motion was made by Mr. Wilson with a second by Mr. Marlovits to approve Late Seventies Production LLC's request for an exemption from Chapter 121-7 of Edgeworth's Code concerning permissible contractor work hours. Mr. Wilson and Mr. Marlovits voted in the affirmative with Mr. Hoeppe, Ms. Duffield and Mr. Aloe voting nay. With a 3-2 vote the request for the exemption was denied.

UPDATE CONCERNING CONTRACT FOR DIGITAL DOCUMENT STORAGE: Mr. Schwend began discussion by stating that Toshiba and Docuware had developed an agreement in partnership with the Borough Solicitor to ensure the Borough's data is backed up and encrypted in a safe and secure manner. Mr. Schwend proposed that the Borough approve a three year agreement with Toshiba and Docuware, highlighting the continuity of the Borough's digital documentation ambitions and cost savings with a locked in price over the duration of the thirty six month agreement. After further discussion, a motion was made by Mr. Aloe with a second by Mr. Wilson to approve the three year agreement with Toshiba and Docuware to develop and implement a digital document retention program with the Borough.

BOROUGH MANGER'S UPDATE: Mr. Schwend briefly recapped a variety of projects that the Borough had completed including the following, the installation of a rain garden at the salt shed building, a new camera and lock system at the Borough building, and the completion of the 2017-18 sidewalk repair program. Mr. Schwend also highlighted interior and exterior renovations of the Borough building, a boiler replacement, and the purchase of a new police cruiser as a few of the projects that the Borough would be completing in the coming months. Borough Council thanked Mr. Schwend for the update.

There being no further business, the meeting on motion duly made and seconded was adjourned at 9:05 p.m.

John F. Schwend – Borough Manager/Secretary