

EDGEWORTH BOROUGH COUNCIL
REGULAR MEETING MINUTES
September 18, 2018

MEETING was called to order at 7:00 p.m. with Council President Joseph T. Hoepf presiding and the following members of Council and officials of the Borough present: Mr. Joseph T. Hoepf, Mr. David T. Aloe, Ms. Carrie Duffield, Mr. Daniel S. Wilson, Mr. Ivan T. Hofmann, Mrs. Elizabeth H. Genter, 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 August 21, 2018 were presented to Council. After some discussion, a motion was made by Mr. Aloe with a second by Mr. Wilson to approve the Regular Meeting Minutes from August 21, 2018. All present voted unanimously in favor of the motion.

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

INVESTMENT REPORT as of September 18, 2018 was presented to Council. After review and discussion, this report was ordered received and filed.

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

BILLS PAYABLE for the month of September 2018 were presented to Council as follows: General Expenditures, in the amount of \$198,526.93 and Scheduled Expenditures, in the amount of \$11,230.85 were presented to Council as per the following list.

Scheduled Expenditures Account

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|------|-------------------------|-------------------------|------------|
| 6286 | Dawson Electric | Voice Recorder Wiring | \$354.00 |
| 6287 | Horhut Tree Experts | Root Collar Excavations | \$1,450.00 |
| 6288 | Ibis Signs | Borough Street Signs | \$1,194.00 |
| 6289 | Knickerbocker Russell | Pressure Washer | \$1,940.35 |
| 6290 | Lennon Smith Souleret | Engineering Services | \$1,940.35 |
| 6291 | Penn Landscape & Cement | Sidewalk Repair Program | \$4,578.50 |

Mr. Hofmann inquired regarding a payment to Informant Technologies. Chief English stated that Informant Technologies maintains and supports document retention for all Police reports and records. Chief English noted that their annual fee has gone up yearly, but highlighted their expertise and durability as an organization. Mr. Hofmann recommended that the Police Department put these services out for bid to ensure that the Borough is paying a fair price for the aforementioned services. After further discussion, a motion was made by Mr. Wilson with a second by Mr. Aloe that a voucher be drawn on the General Account in the amount of \$198,526.93 and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$11,230.85. The motion was unanimously carried by all members in attendance.

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

DISTRICT JUSTICE REPORT for the month of August 2018 was presented to Council. District Justice Robert L. Ford, for District Court No. 05-03-02, reported remitting fines in the amount of \$1,225.47 to the Borough for the month. After review and discussion this report was ordered received and filed.

POLICE REPORT for the month of August 2018 was presented to Council. Chief English discussed an increase in contractors working within the Borough on Sundays. The Chief stated that he intended to draft a statement to residents outlining permissible work hours for contractors in the Borough with the hope of resolving any confusion that residents may have. Borough Council expressed their support for such a notification and recommended that the statement be reviewed by the Borough Manager prior to its dispersal. After some further discussion, the report was ordered received and filed.

FIRE REPORT for the month of August 2018 was presented to Council. After further review and discussion this report was ordered received and filed.

PUBLIC WORKS REPORT for the month of August 2018 was presented to Council. Mr. Hoepf inquired regarding how the catch basins and storm sewers handled recent rain events. Mr. Schwend stated that an intense but short rain event that occurred on August 10th had led to a few backups for residents, particularly along East Drive. In anticipation of the most recent rain event, Mr. Schwend directed the Public Works Department to clean debris away from all catch basins and inlets. Mr. Schwend highlighted that the most recent sustained rain event did not lead to any damaged infrastructure. Mr. Schwend discussed the Borough's sewer line maintenance schedule and discussed potentially allotting funding in the 2019 Budget for lining problematic sewers. After further discussion, the report was ordered received and filed.

BUILDING PERMIT and ZONING PERMIT REPORTS for the month of August 2018 were presented to Council. After some discussion these reports were ordered received and filed.

MS4 UPDATE AND PUBLIC PARTICIPATION: President Hoepf opened the meeting for public comment on the topic of stormwater by reviewing the August MS4 report. Mr. Timothy Hastings representing Sewickley Academy complimented the Borough on its diligent monitoring of local waterways. With there being no further input, 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. Mr. Schwend stated that Mr. Kuzma, Chairman of the Leetsdale Municipal Authority, had requested a meeting to discuss the potential of expanding the Authority's services to include Sewickley Borough, Aleppo Township, and other surrounding communities. Mr. Schwend stated that a meeting between representatives of the LMA and the Streets Committee would take place on October 1, 2018. Mr. Schwend stated that he would continue to update Borough Council as information becomes available concerning this proposal.
- C. Correspondence was received by members of the Allegheny County Council regarding a proposed civil service citizen review board.
- D. Correspondence was received of Mrs. Gail Murray concerning the location of the proposed Falcon One Pipeline.

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

The following visitors were present:

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| Mr. William Lang | 617 Maple Lane |
| Mr. Troy Holsopple | 2704 Brownsville Road Pittsburgh, PA 15227 |
| Mr. Tim Hastings | Sewickley Academy |

OLD BUSINESS:

ACTION CONCERNING AWARD OF BID FOR CONTRACT NO. 01-18 FOR THE BEAVER ROAD WALL REPAIR: Mr. Schwend began discussion by stating that he had facilitated discussion with the residents whom are adjacent to the failing portion of the Beaver Road wall concerning a dyed finish for the concrete wall repair. Mr. Schwend stated that the residents felt that the Borough should honor the existing agreement to dye and stamp the wall finish. Mr. Hoepp stated that the Borough should not award the contract without an agreement from the residents or without acquiring the land through purchase or via eminent domain. Mr. Schwend voiced his support for completing the entire repair of the monitored portion of the wall at one time if an agreement could not be reached between the Borough and the residents. Mr. Schwend highlighted cost savings and less overall disturbance if the project would be completed all at once. President Hoepp recommended bidding the project as one job for the entirety of the wall with the assumption that the land would need to be formally acquired from the residents. President Hoepp also recommended a plain concrete finish for the wall. Mayor Smith concurred with President Hoepp stating that repairing the entirety of the wall would ensure the safety of Beaver Road and all who use it. Mr. Schwend discussed the legal fees that may be associated with acquiring the land without an agreement from the residents. Mr. Aloe noted that in all prior wall failures, only the sidewalk was damaged, leaving Beaver Road stable and usable. After further discussion a motion was made by Mr. Hofmann with a second by Mr. Aloe to reject the bid proposal of GeoBuild for Contract No. 01-18 for the Beaver Road wall repair, and to negotiate with the three affected property owners for the acquisition of their land in exchange for a dyed wall, and that if no agreement could be reached, to use eminent domain and bid a wall without colored dye. Mr. Aloe, Mr. Hofmann, Ms. Duffield, Mrs. Genter, and Mr. Hoepp all voted in the affirmative while Mr. Wilson voted nay, stating that he could not support a motion that included using eminent domain to acquire land from residents without an agreement.

NEW BUSINESS:

ACTION CONCERNING PROPOSED LOT CONSOLIDATION AT NICHOLS FIELD – SEWICKLEY ACADEMY: Mr. Timothy Hastings representing Sewickley Academy stated that neighboring residents abutting Nichols Field had discovered through a survey that portions of the Nichols Field facilities are located on two neighboring properties. In order to avoid any potential liability, the property owners had decided to donate the two small parcels of land to Sewickley Academy. Mr. Hastings stated that there would be no change in the use of the property. Mr. Schwend stated that the land consolidation proposal had received a positive recommendation from the Planning Commission and was also granted a use variance from the Zoning Hearing Board. After further discussion, a motion was made by Mr. Hofmann with a second by Ms. Duffield to permit the lot consolidation at Nichols Field. The motion passed with a 5-0 vote in the affirmative with Mr. Aloe abstaining.

ACTION CONCERNING AWARD OF BID FOR BOROUGH BUILDING PAINTING: Mr. Schwend stated that the Borough Building would have the exterior repainted prior to the end of the year. Mr. Schwend stated that he reached out to ten reputable painting companies, but only received two formal bids for the project. Both Sarandis Painting and Russ Mixter Contracting submitted bids with Sarandis being the low bidder in the amount of \$12,980.00. Mr. Schwend highlighted that the bid submitted by

Sarandis did not thoroughly address the bid specifications including the proper paint, repair techniques, or cleaning methods. Mr. Schwend stated that he would prefer to have a third bid, but given the lack of interest in the project, he would ultimately recommend rejecting the bid proposal of Sarandis and would award the bid to Russ Mixter Contracting, citing the thoroughness of the bid proposal. After further discussion, a motion was made by Mr. Aloe with a second by Mrs. Genter to award the bid in the amount of \$16,850.00 to Russ Mixter Contracting Inc. for repainting the façade of the Borough Building. The motion was carried by all in attendance.

ACTION CONCERNING AWARD OF BID FOR CONTRACT NO. 2018-B01 BOROUGH BUILDING BOILER REMOVAL & REPLACEMENT: Mr. Schwend discussed the bidding process for the Borough Building boiler replacement and highlighted the respective bid amounts presented from Ruthrauff Sauer (\$51,260.00), Frew Inc. (\$52,240.00), and Nexus Heating and Cooling (\$106,500.00). Mr. Schwend highlighted that the lowest bid was received by Ruthrauff in the amount of \$51,260.00, but stated that Ruthrauff would be unable to install the boiler replacement in the required timeframe outlined in the RFP. Mr. Schwend stated that he would recommend awarding the bid to Frew Inc., discussing the thoroughness of Frew's bid and their ability to complete the project within the desired timeframe. Mr. Schwend stated that the new boiler system would consist of two separate 550 MBH units that would ensure a backup if one of the units would ever fail. Mr. Schwend also highlighted the increased efficiency of the new system which claim 93% efficiency. After some discussion, a motion was made by Mr. Hofmann with a second by Mrs. Genter to award contract No. 2018-B01 in the amount of \$52,240.00 to Frew Inc. to provide and install the new Borough Building boiler system. The motion was unanimously carried by all in attendance.

ACTION CONCERNING 2019 MMO: Mr. Schwend stated that the Borough's long-time actuary Hallet & Associates had been acquired by Findley Inc., and highlighted that Mr. Keith Nichols who had worked with the Borough in the past would be retained by Findley. According to Mr. Schwend, Findley had tabulated the 2019 Minimum Municipal Obligation for the uniformed pension plan in the amount of \$22,804 and the non-uniformed pension plan in the amount of \$20,459. Mr. Schwend stated that according to Findley, all financial obligations should be met with the assistance of state aid. After some further discussion, a motion was made by Mr. Wilson with a second by Mr. Hofmann to approve the 2019 Minimum Municipal Obligation. The motion was unanimously carried.

OTHER BUSINESS:

PROCLAMATION RECOGNIZING OCTOBER 5, 2018 AS ARBOR DAY IN THE BOROUGH OF EDGEWORTH: Mr. Patrick Conners discussed the requirements set forth by the Arbor Day Foundation in order to be recognized for the second consecutive year as a "tree city". Mr. Conners stated that the Borough meets or exceeds all requirements set forth by the Arbor Day Foundation with the exception of recognizing Arbor Day with a community shade tree event. Mr. Conners stated that he would like to gather interested Borough officials including the Mayor on October 5, 2018 to celebrate the planting of new shade trees throughout the Borough. Mr. Conners highlighted that the autumn season is ideal for planting new trees and would be the perfect time to host an event. After further discussion a motion was made by Ms. Duffield with a second by Mr. Wilson to recognize October 5, 2018 as Arbor Day in the Borough of Edgeworth. The motion was unanimously carried.

WALKER PARK STEPPING STONES: Mr. Schwend updated Borough Council concerning a permit granted by the Pennsylvania Department of Environmental Protection allowing for the construction of a stepping stone path within the Little Sewickley Creek. Mr. Schwend stated that the permit which had already been granted a one-year extension would be expiring on December 31, 2018. Mr. Schwend concluded by discussing the option to reapply for an extension to complete the project with an adjusted route between shelters 2 and 3 in order to better connect the trail system in Walker Park.

PROPERTY COMMITTEE REPORT: Mr. Schwend stated that representatives of the Woodland Swim Club had inquired regarding the ownership of trees adjacent to the swimming area on their property. According to Mr. Schwend, the trees were identified as being on the Borough's property on a survey that was acquired by the Club. The survey also determined that a portion of the Club's fence and patio area were located on Borough property. Mr. Schwend suggested leasing the affected portion of the Borough's property to the Club, if the Club would consider taking ownership/responsibility for trees within a certain parameter of the Club. Mr. Schwend concluded by stating that the Borough arborist would identify any trees in the vicinity that may need pruned and or removed. After further discussion, Borough Council directed Mr. Schwend to continue negotiating with the Club regarding the disputed property lines. Mr. Hofmann discussed the possibility of incorporating a 9/11 memorial within Way Park, highlighting a similar memorial that was developed in an Ohio municipality. Mr. Schwend stated that the Borough could work with the Sewickley Valley Historical Society to design a proposal that Borough Council could make a decision on.

SEPTEMBER ZONING HEARING BOARD RESULTS: Borough Council voiced their concern with the number of zoning variances that have been granted in recent years. Mr. Aloe stated that he attended the most recent meeting of the Zoning Hearing Board as an adjacent neighbor to a case that was being heard. Mr. Aloe stated that he believes many of the applicants who apply for variances inflict hardships upon themselves with the scale and location of proposed projects. Mr. Aloe also expressed his concern regarding continuances and the associated advertising and stenographic costs that are incurred in such cases. Mr. Lucas stated that the Borough could institute a Resolution-based fee schedule for zoning cases that are granted continuances or extensions. Mr. Wilson stated that he believes the Zoning Hearing Board may feel infringed upon with pressures imposed by Borough Council concerning recent cases. Mr. Wilson highlighted that members of the Board are not only volunteers, but are also neighbors to many of the applicants who come before the Board. Mr. Hofmann expressed his desire to train the Board on the importance of maintaining the Zoning Ordinance and the proper implementation of a hardship. Mr. Schwend stated that there is an upcoming series of courses dealing with general zoning implementation and community planning that would be hosted by the Local Government Academy. Mr. Schwend stated that the Borough would pay or reimburse the associated fees for any interested officials who would like to attend the courses. Mr. Schwend stated that he would be forwarding all pertinent information concerning the courses to interested Borough officials. After further discussion, Borough Council directed Mr. Schwend to inform the members of the Zoning Hearing Board of the training and of the general feeling of Borough Council regarding recent zoning events.

There being no further business, the meeting on motion duly made and seconded was adjourned at 9:01 p.m.

John F. Schwend – Borough Manager/Secretary