

EDGEWORTH BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
September 17, 2019

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Immediately prior to the start of the meeting, Borough Council held an Executive Session to discuss a legal matter. Executive Session began at 6:30 p.m. and ended at 6:59 p.m.

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. Ivan T. Hofmann, Mr. Daniel S. Wilson, Ms. Carrie A. Duffield, Mr. Gregory Marlovits, Mrs. Elizabeth Genter, Mayor Gary L. Smith, Borough Manager John F. Schwend, and Mr. Brendan Lucas, Esq., representing the Borough Solicitor.

MINUTES of the Regular Meeting held on August 20, 2019 were presented to Council. After some discussion, a motion was made by Mr. Wilson with a second by Mr. Marlovits to approve the Regular Meeting Minutes from August 20, 2019. All present voted unanimously in favor of the motion.

TREASURER'S REPORT for the month of August 2019 was presented to Council. After review and discussion, this report was ordered received and filed.

INVESTMENT REPORT as of September 17, 2019 was presented to Council. After review and discussion, this report was ordered received and filed.

FINANCIAL REPORT for the month of August 2019 was presented to Council. After review and discussion, this report was ordered received and filed.

BILLS PAYABLE for the month of September 2019 were presented to Council as follows: General Expenditures, in the amount of \$178,877.22 and Scheduled Expenditures, in the amount of \$8,301.54 were presented to Council as per the following list.

Scheduled Expenditures Account

6361	Econo Signs LLC	Stop Signs	\$1,312.01
6362	Garvin Boward Beitko	Engineer Fees	\$733.75
6363	Joseph Hajans Associates	Engineer Fees	\$801.25
6364	Lennon Smith Souleret	Engineer Fees	\$2,573.40
6365	Penn Landscape and Cement	Route 65 Maintenance	\$810.00
6366	Trans Associates Engineering	Engineer Fees	\$2,071.13

After some discussion, a motion was made by Mr. Hofmann with a second by Mr. Wilson that a voucher be drawn on the General Account in the amount of \$178,877.22, and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$8,301.54. The motion was unanimously carried by all members in attendance.

TAX COLLECTOR'S REPORT for the month of August 2019 was presented to Council. After some review and discussion, this report was ordered received and filed.

DISTRICT JUSTICE REPORT for the month of August 2019 was presented to Council. District Justice Robert L. Ford, for District Court No. 05-03-02, reported remitting fines in the amount of

\$1,231.40 to the Borough for the month. After review and discussion this report was ordered received and filed.

POLICE REPORT for the month of August 2019 was presented to Council. After review and discussion this report was ordered received and filed.

FIRE REPORT for the month of August 2019 was presented to Council. After review and discussion this report was ordered received and filed.

PUBLIC WORKS REPORT for the month of August 2019 was presented to Council. Mr. Schwend provided an update to Council on cost estimates for replacing street sign poles throughout the Borough. Mr. Hofmann stated that installing decorative poles would represent the community well. Council asked Mr. Schwend to provide further details to the Property Committee. Mrs. Genter thanked the Public Works staff for their efforts in collecting leaves on Borough streets prior to the house tour. After further review and discussion, this report was ordered received and filed.

BUILDING PERMIT AND ZONING PERMIT REPORTS for the month of August 2019 were presented to Council. Mr. Schwend shared that Mr. Michael Freed, Solicitor for the Zoning Hearing Board, submitted his letter of retirement, and that a search for a new Zoning Hearing Board Solicitor would begin immediately. Council thanked Mr. Freed for his many years of service to the community, and wished him well in his retirement. After further discussion, these reports were ordered received and filed.

MS4 UPDATE AND PUBLIC PARTICIPATION: President Hoepf opened the floor for public comment on the topic of stormwater by reviewing the August 2019 MS4 report. With there being no further input, the report was ordered received and filed.

QVCOG EXECUTIVE DIRECTOR'S REPORT: for the month of August 2019 was presented to Council. Mr. Schwend stated that the COG will continue to hold public engagement sessions in order to gather data on Route 65 throughout the region. After review and discussion, this report was ordered received and filed.

CORRESPONDENCE:

- A. Minutes from the Edgeworth Municipal Authority were received.
- B. Correspondence was received from Ms. Suzanne Morgan, 210 Orchard Place, requesting Children at Play signs be placed at both ends of Orchard Place. After review, Council asked Chief English to monitor the area for speed and traffic.

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

William Lang	617 Maple Lane
Joseph Peduzzi	Esmark, Inc.
Steven Victor	Victor Wetzel and Associates

OLD BUSINESS:

ACTION CONCERNING CONDITIONAL USE APPLICATION – 25 OHIO RIVER BOULEVARD: President Hoepf stated that following the public hearing held on August 20, 2019, and considering the recommendations set forth by the Edgeworth Planning Commission on August 14, 2019, Council has

drafted Resolution 2019-08 approving the Conditional Use application for a Taco Bell restaurant with drive through service at 25 Ohio River Boulevard. Mr. Hoepf read the resolution into the record. The conditions set forth in Resolution 2019-08 are as follows: Two stop signs shall be installed where Hazel Lane meets the private road and the existing parking lot in front of Edgeworth Square; the applicant upgrade the traffic signal at Ohio River Boulevard and Hazel Lane per the PennDOT TIS Review Letter dated August 22, 2019; and the applicant add private signs to their property, in the area of the exit queue of the drive through and in the parking lot, stating that northbound Ohio River Boulevard traffic shall exit to the rear to the traffic light at Hazel Lane. Additionally, although not required, in consideration of public safety, Borough Council strongly recommends that the applicant limit egress to right turns only on Ohio River Boulevard. Mr. Steven Victor, representing the developer, stated that they would be amenable to the required conditions stated in the resolution. Mr. Joseph Peduzzi, representing Esmark, Inc. stated his strong objection to the proposed development due to increased traffic and safety concerns. Ms. Duffield expressed concern with vehicles blocking the fire lane in front of the Edgeworth Commons building, directly behind the proposed development. She asked the developer to reassess their management and enforcement of the vehicles in the fire lane. After further discussion, a motion was made by Mr. Wilson with a second from Mr. Hofmann to adopt Resolution 2019-08, approving the conditional use permit for a Taco Bell restaurant with drive through service to be located at 25 Ohio River Boulevard. Four members of Council voted in favor of the motion, while Ms. Duffield and Mrs. Genter opposed.

#### NEW BUSINESS:

#### CONSIDERATION OF LAND DEVELOPMENT APPLICATION – 25 OHIO RIVER BOULEVARD:

Mr. Schwend stated that the Planning Commission reviewed the application at their September 11, 2019 meeting. The Commission recommended approval of the land development application for a Taco Bell restaurant to be located at 25 Ohio River Boulevard with the following conditions: All outstanding items in the September 11, 2019 Lennon Smith Souleret letter are adequately addressed; the applicant address comments from August 7, 2019 letter from Joseph Hajnas Associates regarding landscaping; the applicant upgrade the traffic signal at Ohio River Boulevard and Hazel Lane per the PennDOT TIS review letter dated August 22, 2019; and that the applicant add private signs to their property, in the area of the exit queue of the drive through and in the parking lot, stating that northbound Ohio River Boulevard traffic shall exit to the rear to the traffic light at Hazel Lane. Mr. Schwend stated that other outstanding items in the Borough Engineer's review were pending approval from other agencies, including the highway occupancy permit and the DEP exemption module. Mr. Schwend stated that the applicant must apply for all signage through a separate permit. Ms. Duffield stated that many motorists block the fire lane running on the private road behind the proposed development due to loading and unloading. She recommended that the applicant monitor the situation and remind visitors of laws regarding fire lanes, as well as suggested to Council that a review of ordinances regarding enforcement of fire lanes would be helpful to maintain safety. After further discussion, a motion was made by Mr. Wilson with a second from Mr. Hofmann to approve the land development application for a Taco Bell to be located at 25 Ohio River Boulevard with the following conditions:

1. All outstanding items in the September 11, 2019 Lennon Smith Souleret letter are adequately addressed.
2. The applicant address comments from August 7, 2019 letter from Joseph Hajnas Associates regarding landscaping.
3. The applicant upgrade the traffic signal at Ohio River Boulevard and Hazel Lane per the PennDOT TIS review letter dated August 22, 2019.
4. The applicant add private signs to their property, in the area of the exit queue of the drive through and in the parking lot, stating that northbound Ohio River Boulevard traffic shall exit to the rear to the traffic light at Hazel Lane.
5. That all signage associated with the project be applied for under a separate zoning permit application.

All present voted in favor of the motion.

ACTION CONCERNING RESOLUTION 2019-06 – MODIFYING THE BOROUGH OF

EDGEWORTH EMPLOYEE 457b PLAN: Mrs. Genter stated that after analyzing the Borough's current Employee 457b as well as numerous other plans, changing providers would be in the best interest of employees and the Borough. Mrs. Genter stated that Henderson Brothers Retirement offers lower costs and better service compared to the Borough's current MetLife plan provider. Resolution 2019-06 resolves that Henderson Brothers Retirement would be the new manager of the plan, and authorized the Borough Manager to implement the transition of the 457b plan. Mr. Schwend stated that the Finance Committee has reviewed Mrs. Genter's recommendation and supports the transition. Mr. Hofmann asked whether the Borough employees enrolled in the plan had been made aware of the opportunity to change providers. Mr. Schwend stated that employees had asked for the change due to the current plan not meeting expectations. After further discussion, a motion was made by Mr. Hofmann with a second from Mr. Marlovits to adopt Resolution 2019-06. All present voted in favor of the motion.

ACTION CONCERNING RESOLUTION 2019-07 – AUTHORIZING THE FILING OF AN

APPLICATION FOR FUNDS WITH THE RAAC: Mr. Schwend stated that in order to comply with MS4 requirements, the streambank along Way Hollow Run must be restored to reduce sedimentation. Upon recommendation from the Borough Engineer, the Borough can apply for a \$100,000.00 grant through the Allegheny County Redevelopment Authority's Gaming Economic Development Fund. After discussion, a motion was made by Mr. Marlovits with a second from Mrs. Genter to adopt Resolution 2019-07, authorizing the filing of the grant application.

ACTION CONCERNING 2020 MMO: Mr. Schwend stated that the minimum municipal obligation (MMO) for the Borough pension plan was significantly larger than last year due to a funding adjustment. Mr. Wilson asked why the funding adjustment yielded such an increase, and Mr. Schwend explained various factors that contribute to the actuarial calculations, including employee roster, life expectancy, and investments in 2018 yielding a low return. Mr. Schwend stated that state aid typically covers a large portion of the Borough's obligated funding contributions. After further discussion, a motion was made by Mr. Hofmann with a second from Mrs. Genter to approve the 2020 MMO. All present voted in favor of the motion.

ACTION CONCERNING 2019-2020 CARGILL SALT BID: Mr. Schwend stated that Cargill was the only bid received through the SHACOG purchasing agreement for road salt for the 2019-2020 winter, at a price of \$82.24 per ton. Mrs. Genter asked if any other options for purchasing road salt were available, to which Mr. Schwend stated there are not at this time. After further discussion, a motion was made by Mr. Hofmann with a second from Mr. Marlovits to accept the 2019-2020 Cargill Salt Bid for a price of \$82.24 per ton. All present voted in favor of the motion.

OTHER BUSINESS:

PROCLAMATION RECOGNIZING OCTOBER 4<sup>TH</sup> AS ARBOR DAY IN THE BOROUGH OF

EDGEWORTH: Administrative Assistant Ellen DeWeese discussed the requirements set forth by the Arbor Day Foundation in order to be recognized for the third consecutive year as a "tree city". One such requirement is to recognize Arbor Day in the Borough with a community planting event that includes planting a new tree. After further discussion, a motion was made by Mr. Wilson with a second by Mrs. Genter to recognize October 4, 2019 as Arbor Day in the Borough of Edgeworth. All present voted in favor of the motion.

REQUEST FROM POLICE CHIEF REGARDING PUBLIC SAFETY EQUIPMENT PURCHASE:

Chief English stated in order to keep the police department prepared and properly equipped, he would like

to upgrade hand guns and sights for full time officers. The selected hand guns improve accuracy, and come at a low price. Mr. Hofmann asked whether the hand guns were budgeted for this year, and what would happen to the old equipment. Chief English stated that the new equipment was not budgeted for in this year, but that the upgrade would provide the department with the best equipment possible in case of a dangerous situation. Mr. Schwend stated that the old equipment would be disposed of under the asset disposal policy. After further discussion, a motion was made by Mr. Hofmann with a second from Ms. Duffield to approve the purchase of new public safety equipment for the police department. All present voted in favor of the motion.

GLASS RECYCLING UPDATE: Ms. DeWeese stated that a draft agreement had been prepared by Michael Brothers Hauling for a glass-only dumpster to be placed at the Recycling Center for a three-month trial period. Michael Brothers would empty the dumpster for a fee of \$600 per pull. Ms. DeWeese stated that since Waste Management will no longer accept glass in curbside recycling beginning on January 1, 2020, the professional staff recommended the trial period begin in January. Additionally, Ms. DeWeese provided Council with an overview of the glass recycling event held on September 14<sup>th</sup> at Edgeworth Elementary School, where 4.27 tons of glass were collected. Mr. Hofmann suggested placing a notice in upcoming newsletters regarding the changes to glass recycling. After further discussion, a motion was made by Mr. Wilson with a second from Mr. Marlovits to enter into the three-month trial agreement with Michael Brothers Hauling for a glass only dumpster to be placed at the Recycling Center. All present voted in favor of the motion.

Mr. Wilson asked Mr. Schwend to contact Quaker Valley School District for an update regarding proposed tax millage increases. After discussion, Council agreed that they would like a representative from Quaker Valley School District to come before Council when available.

EXECUTIVE SESSION: Council entered into Executive Session to discuss a legal matter at 9:05 p.m., and returned to regular session at 9:10 p.m.

There being no further business, the meeting on motion duly made and seconded was adjourned at 9:11 p.m.

John F. Schwend – Borough Manager