

EDGEWORTH BOROUGH COUNCIL
REGULAR MEETING MINUTES
January 19, 2021

MEETING was called to order via Zoom 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. David T. Aloe, Mr. Ivan T. Hofmann, Mr. Daniel S. Wilson, Ms. Carrie A. Morris, Mr. Gregory J. Marlovits, Mrs. Elizabeth H. Genter, Mayor Gary L. Smith, Borough Manager John F. Schwend, and Mr. Brendan Lucas, Esq., representing the Borough Solicitor.

MINUTES of the Budget Hearing and Regular Meeting held on December 15, 2020 were presented to Council. After discussion, a motion was made by Mr. Wilson with a second by Mrs. Genter to approve the Budget Hearing and Regular Meeting Minutes from December 15, 2020. All present voted unanimously in favor of the motion.

TREASURER'S REPORT for the month of December 2020 was presented to Council. After review and discussion, this report was ordered received and filed.

INVESTMENT REPORT as of January 19, 2021 was presented to Council. After review and discussion, this report was ordered received and filed.

FINANCIAL REPORT for the month of December 2020 was presented to Council. After further review and discussion, this report was ordered received and filed.

BILLS PAYABLE for the month of January 2021 were presented to Council as follows: General Expenditures, in the amount of \$215,903.89 and Scheduled Expenditures, in the amount of \$9,460.36 were presented to Council as per the following list.

Scheduled Expenditures Account

6473	Garvin Boward Beitko	Engineering Fees	\$2,223.00
6474	Lennon Smith Souleret	Engineering Fees	\$4,007.36
6475	Penn Landscape and Cement	Tree Planting	\$3,230.00

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 \$215,903.89, and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$9,460.36. The motion was unanimously carried by all members in attendance.

TAX COLLECTOR'S REPORT for the month of December 2020 was presented to Council. After some review and discussion, this report was ordered received and filed.

DISTRICT JUSTICE REPORT for the month of December 2020 was presented to Council. District Justice Robert L. Ford, for District Court No. 05-03-02, reported remitting fines in the amount of \$413.83 to the Borough for the month. After review and discussion this report was ordered received and filed.

POLICE REPORT for the month of December 2020 was presented to Council. Chief English discussed challenges with hiring qualified part-time police officers. After review and discussion, this report was ordered received and filed.

FIRE REPORT for the month of December 2020 was presented to Council. After review and discussion, this report was ordered received and filed.

PUBLIC WORKS REPORT for the month of December 2020 was presented to Council. Mr. Schwend stated that Mr. Fred Gregorich will be out of the office for an extended period of time, and a third-party inspection agency will complete building inspections in his absence. Mr. Hofmann asked for an update regarding Way Hollow Road. Mr. Schwend explained that PennDOT decided to make the road closure permanent, and the Borough will begin assessing options in the near future. After further discussion, this report was ordered received and filed.

BUILDING PERMIT AND ZONING PERMIT REPORTS for the month of December 2020 were presented to Council. Mr. Schwend briefly explained the results of cases heard by the Zoning Hearing Board, and reviewed upcoming cases that will be heard next month. After review and 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 December 2020 MS4 report. After discussion, the report was ordered received and filed.

QVCOG EXECUTIVE DIRECTOR'S REPORT for the month of November 2020 was presented to Council. After review and discussion, this report was ordered received and filed.

CORRESPONDENCE:

- A. Minutes from the Edgeworth Municipal Authority were received.

At this time Mr. Hoepf read the following public statement on behalf of Council aloud:

“On behalf of Mayor Smith and Edgeworth Borough Council, I would like to state that Council strongly condemns the illegal activities that took place at the US Capitol on January 6th 2021 and does not condone the destruction of property, disregard for the rule of law or any act of violence. While America has a long history of peaceful protest, violence has no place in our democracy or our society. Borough Council works diligently to be a voice for all residents of Edgeworth and hopes that moving forward the nation can put aside our differences and renew a united spirit. We are privileged to be able to serve the residents of the Borough, and will continue to work during these trying times to make our community a better place to live and prosper.”

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

Hugh St. Martin	609 Maple Lane
William Lang	617 Maple Lane
Susan Kaminski	643 Maple Lane
Howard West	522 Woodland Road
John Burlett	Edgeworth Police Department

Ms. Susan Kaminski came before Council to state that a small group of residents held a small service in Way Park to honor those who recently passed away due to the Covid-19 pandemic, and thanked them for their continued efforts to keep the community safe. Council thanked Ms. Kaminski for her kind words.

Mr. Howard West came before Council to express ongoing concern with the Life With Dogz kennel business located near his residence. He threatened to escalate legal action as a result of Council not

pursuing an appeal of recent litigation regarding the business. Mr. Schwend explained the legal process and timeline of the litigation, and stated that neighbors in the vicinity of the business did not intervene in the case in a timely manner. Mr. Hoepf stated that Council determined that it was in the best interest of the Borough not to appeal the decision, and no longer has any recourse to pursue legal action in the future. Mr. Aloe stated that Mr. West and any other concerned parties could take private action if they so choose. After further discussion, Mr. West thanked Council for their time.

OLD BUSINESS:

PROPERTY COMMITTEE – GAS RESOURCES DEVELOPMENT UPDATE: Mr. Schwend stated that the Property Committee met with Mrs. Gail Murray and Ms. Robin Martin from Food and Water Watch to review final changes to the gas resources development ordinance. All proposed changes were agreed upon, and the Committee feels that the proposed changes are protective of the Borough and residents, yet not exclusionary from a legal perspective. Mr. Schwend explained that the draft will be reviewed by the Planning Commission, and publicly advertised with other proposed amendments to the zoning ordinance. Mr. Morris thanked the professional staff and Mr. Lucas for their work in preparing the final draft. After further discussion, Council thanked Mr. Schwend for the update.

ACTION CONCERNING PARTIAL PAYMENT NO. 4 – CONTRACT NO. 20-S1 OLIVER ROAD IMPROVEMENTS: Mr. Schwend stated that the Borough Engineer recommended partial payment in the amount of \$42,601.12 to A. Folino Construction, Inc. Additional items that need addressed before the project is finalized include restoration and repairing areas of ponding water along the street. After further discussion, a motion was made by Mr. Aloe with a second from Mr. Wilson to approve partial payment to A. Folino Construction, Inc. in the amount of \$42,601.12 for the Oliver Road sewer separation project. All present voted in favor of the motion.

Additionally, Mr. Hoepf stated that the Sewers Committee recently met with Mr. Kevin Brett, P.E. from Lennon Smith Souleret Engineering Inc., to discuss future services as the Borough's Engineer. He explained that the discussion focused on issues of increasing the overtime rate, and concerns related to the resident representative during the Oliver Road project. The overtime rate increase is nominal with respect to overall cost, and lower than competitors. Additionally, Mr. Brett highlighted the importance of having a resident representative on site to report concerns and contact the appropriate people if issues arise, while also acknowledging deficiencies noted by Mr. Gregorich and Mr. Schwend during the project. Mr. Hofmann expressed concern with the management structure of the resident representative, and argued that the overall engineering cost of the Oliver Road project should be reduced. Mr. Schwend stated that the meeting served as an opportunity to raise concerns and alert the Borough Engineer of increased scrutiny. After further discussion, a motion was made by Mr. Wilson with a second from Mr. Aloe to appoint Lennon Smith Souleret Engineering, Inc. as Borough Engineer for 2021. All present voted in favor of the motion.

NEW BUSINESS:

ACTION CONCERNING APPOINTMENT OF JORDAN TAX SERVICE, INC AS DEPUTY TAX COLLECTOR: Mr. Schwend stated that Mr. Christopher Blazak was recently appointed to fill the vacancy as the Borough's Tax Collector. Mr. Blazak will appoint Jordan Tax Service to continue serving as Deputy Tax Collector. After brief discussion, a motion was made by Mr. Hofmann with a second from Mr. Marlovits to appoint Jordan Tax Service, Inc. as Deputy Tax Collector. All present voted in favor of the motion.

There being no further business, the meeting on motion duly made and seconded was adjourned at 8:08 p.m.

John F. Schwend – Borough Manager