

EDGEWORTH BOROUGH COUNCIL
REGULAR MEETING MINUTES
May 18, 2021

MEETING was called to order via Zoom 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, Mr. Ivan T. Hofmann, Ms. Carrie A. Morris, Mr. Gregory J. Marlovits, Mr. Daniel S. Wilson, 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 Regular Meeting held on April 20, 2021 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 April 20, 2021. All present voted unanimously in favor of the motion.

TREASURER'S REPORT for the month of April 2021 was presented to Council. After review and discussion, this report was ordered received and filed.

INVESTMENT REPORT as of May 18, 2021 was presented to Council. After review and discussion, this report was ordered received and filed.

FINANCIAL REPORT for the month of April 2021 was presented to Council. After review and discussion, this report was ordered received and filed.

BILLS PAYABLE for the month of May 2021 were presented to Council as follows: General Expenditures, in the amount of \$186,524.84 and Scheduled Expenditures, in the amount of \$29,777.10 were presented to Council as per the following list.

Scheduled Expenditures Account

6487	Garvin Boward Beitko	Engineering Fees	\$486.00
6488	Horhut Tree Experts	Tree Removal	\$8,600.00
6489	Lennon Smith Souleret	Engineering Fees	\$3,187.10
6490	Penn Landscape and Cement	Park Plantings	\$17,504.00

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 \$186,524.84, and a voucher be drawn on the Scheduled Expenditures Account in the amount of \$29,777.10. The motion was unanimously carried by all members in attendance.

TAX COLLECTOR'S REPORT for the month of April 2021 was presented to Council. After some review and discussion, this report was ordered received and filed.

DISTRICT JUSTICE REPORT for the month of April 2021 was presented to Council. District Justice Robert L. Ford, for District Court No. 05-03-02, reported remitting fines in the amount of \$1,702.73 to the Borough for the month. After review and discussion this report was ordered received and filed.

POLICE REPORT for the month of April 2021 was presented to Council. After review and discussion, this report was ordered received and filed.

FIRE REPORT for the month of April 2021 was presented to Council. Mr. Aloe discussed a recent fire that broke out along the railroad tracks near Route 65. Mrs. Genter asked whether the Borough could enact standards of care to prevent railroad companies from sparking further issues. Mr. Lucas explained that the railroad industry is governed by federal law, and municipalities have very little influence over their operations. After review and discussion, this report was ordered received and filed.

PUBLIC WORKS REPORT for the month of April 2021 was presented to Council. Mr. Schwend stated that Mr. Fred Gregorich would be returning to full duty in the coming days, and commended the Public Works crew for their hard work during his absence. After discussion, this report was ordered received and filed.

BUILDING PERMIT AND ZONING PERMIT REPORTS for the month of April 2021 were presented to Council. After review and discussion, these reports were ordered received and filed.

QUAKER VALLEY COG REPORT for the month of April 2021 was presented to Council. Mr. Schwend stated that Mr. Patrick Connors was recently appointed as the new COG Executive Director. After discussion, this report was ordered received and filed.

MS4 UPDATE AND PUBLIC PARTICIPATION: President Hoepp opened the floor for public comment on the topic of stormwater by reviewing the April 2021 MS4 report. After 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 via email.

RECOGNITION OF VISITORS CONCERNING NON-AGENDA ITEMS:

Mr. William Lang	617 Maple Lane
Mr. Hugh St. Martin	609 Maple Lane
Mr. John Burlett	Edgeworth Police Department

OLD BUSINESS:

CCTV, CLEANING AND TRIMMING POIA ROAD SANITARY SEWER: Mr. Schwend stated that proposals were received to camera, clean, and trim protruding laterals in the line in order to properly analyze the condition of the sanitary pipe beneath Poia Road. Two proposals were received, one from Robinson Pipe Cleaning in the amount of \$4,170.00, and one from Insight Pipe Contracting in the amount of \$7,875.00. Mrs. Genter asked whether any pavement will be removed during the process. Mr. Schwend stated that the street will not be disturbed, and this process is standard procedure to inspect sewer lines. After discussion, a motion was made by Mr. Aloe with a second from Mr. Hofmann to have Robinson Pipe Cleaning camera, clean, and trim the sanitary sewer line beneath Poia Road in the amount of \$4,170.00. All present voted in favor of the motion.

In addition, Mr. Schwend explained that the attorney representing the residents of Poia Road has recently contacted the Borough to stress the residents' desire to fully replace the sanitary sewer, due to concerns that the sanitary sewer may fail after the road repaving has been completed. Mr. Hofmann stated that lining the pipe could prove to be a more effective and sustainable solution for the residents over time. After brief discussion, Council thanked Mr. Schwend for the update.

NEW BUSINESS:

ACTION CONCERNING THE PURCHASE OF 2021 FORD POLICE UTILITY VEHICLE: Mr.

Schwend stated that the purchase of a new police vehicle was included in the budget, and would replace the police utility vehicle purchased in 2016. The cost of the vehicle, as provided by Whitmoyer Ford with COSTARS pricing, is \$34,500.00, with an additional \$11,328.00 provided by Isvus for proper upfitting and equipment installation, for a total cost of \$45,828.00. Mr. Schwend recommended that rather than listing the 2017 police vehicle for public auction, Council consider listing the 2010 Crown Victoria, used by Borough Administration, for auction and using the 2017 police vehicle as the Administration vehicle in its place. After discussion, a motion was made by Mr. Hofmann with a second from Mrs. Genter to authorize the purchase of a 2021 Ford police utility vehicle from Whitmoyer Auto Group, with necessary upfitting provided by Isvus, in the amount of \$45,328.00, and to authorize the sale of the 2010 Crown Victoria via public auction. All present voted in favor of the motion.

ACTION CONCERNING THE PURCHASE OF 2022 FORD F-550 DUMP TRUCK: Mr. Schwend stated that the purchase of a new Public Works dump truck was included in the budget, and that the dump trucks are typically replaced on a ten-year basis. The cost of the dump truck, as provided by Woltz and Wind Ford with COSTARS pricing, is \$87,790.00 for the cab and chassis and all necessary equipment. Mr. Schwend explained that the purchase includes new hydraulics, a new snow plow, and plow frame, however the salt spreader on the existing dump truck can be reused on the new vehicle. Additionally, Mr. Schwend recommended listing the existing 2011 dump truck, with snow plow and frame, for public auction. After brief discussion, a motion was made by Mr. Aloe with a second from Mr. Wilson to authorize the purchase of a 2022 Ford F-550 dump truck from Woltz and Wind Ford in the amount of \$87,790.00, and to authorize the sale of the 2011 Ford dump truck via public auction. All present voted in favor of the motion.

OTHER BUSINESS:

SIDEWALK SURVEY AND REPAIRS: Mr. Wilson began discussion by stating that he feels sidewalk repairs should be the responsibility of the Borough and included in the capital budget, as the cost is a burden to only some residents while all residents may utilize the sidewalk. He also highlighted instances of sidewalk slabs being damaged or a tripping hazard occurring due to street trees. Mr. Hofmann disagreed, and stated that sidewalk maintenance is an aspect of homeownership. Mr. Hofmann and Mr. Aloe also discussed tripping hazards, and highlighted the potential increased liability that the Borough would incur if it is responsible for all sidewalks in the community. Ms. Morris raised concerns with arbitrary enforcement during the surveying process, and stated that the Borough should consider taking over maintenance responsibility to ensure the process is fair and equitable to all residents. Mr. Wilson asked whether a resident can remove a sidewalk on their property if they do not wish to maintain or be held responsible for it. Mr. Schwend explained that sidewalk removal is not an option in locations where they already exist. Mr. Wilson noted the costs that property owners may endure from Borough requirements, including street tree removal, sidewalk maintenance, and curb maintenance.

Mr. Schwend then discussed costs of sidewalk repairs in previous year, and explained that estimating a total cost for all previous repairs would be difficult due to some residents opting to use their own contractor, rather than having the work completed by the Borough's contractor. Mr. Schwend stated that proposed costs and total repair estimated would be available for the June 2021 Council Meeting. Mr. Marlovits expressed concern with inconsistencies in overall sidewalk quality after repairs are finished, due to different contractors' work. He stated that it would be more cost efficient for the Borough to utilize one contractor for all replacement and repairs. Mr. Lucas stated that currently, the Borough is secondarily liable for sidewalk hazards, and could assume full liability if the Borough assumes full responsibility for maintenance. However, proof of notice of a defect and proof that it was not properly addressed by the

Borough would be required in any potential litigation. Additionally, Mr. Lucas explained that some municipalities will replace or subsidize replacement of sidewalk slabs that are damaged by street trees, but damage created by neglect or improper care are the responsibility of the property owner. Mr. Schwend stated that the Borough's ordinances related to sidewalk maintenance and repair are consistent the state Borough Code, however the Borough enforces the repairs on a more consistent basis. After further discussion, Mr. Hoepf directed the matter to the Property Committee for discussion.

EXECUTIVE SESSION: Council entered executive session to discuss a personnel matter at 8:16 p.m. and returned to regular session at 8:42 p.m.

Upon returning to regular session, a motion was made by Mr. Hofmann with a second from Ms. Morris to authorize the advertisement of draft Ordinance 544 – Amending the Police Pension Plan. All present voted in favor of the motion.

There being no further business, the meeting on motion duly made and seconded was adjourned at 8:44 p.m.

John F. Schwend – Borough Manager