

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 3, 2007 REGULAR MEETING OF COUNCIL

The meeting was called to order at 7:30 p.m. by President C. Tuscan.

The Pledge of Allegiance was led by the President.

ROLL CALL: G. JAKUB, present; L. FIASCO, present; J. CLEMENIC, present; C. SPICUZZA, present; S. VOLPE, present; S. SHURGOT, present; C. TUSCAN, present.

Mayor D. POMPOSELLI was also present.

S. SHURGOT/L. FIASCO TO ACCEPT THE MINUTES OF THE MARCH 6, 2007 MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 6-0.

PETITIONS & MEMORIALS

MR. J. GAGETTA: as you can see up at the castle, and I want to thank you guys for helping us clean up the front. We have moved the dumpster and tore down the wooden wall that was up there. I have here a drawing from Bidwell Training Center. The project will be done in phases and the first phase is the hillside. It is going to be a combination of stone, trees and there is not any flowers in there because we do not know exactly what we are going to do in that area. I am going to meet with Bidwell next week. We already have the stone donated to us and we are looking to get some money to start on the hill, hopefully by May and we will continue as the money comes in. We also talked to Duquesne Light and they have grant money for projects like King's Way. We sent in a grant proposal to purchase unbreakable fixtures to go on the existing poles. Hopefully we can have that money this summer to light King's Way. I estimated that the entire project is between five and six thousand dollars. The problem is that I need specifics on the electricity. At one time they were hooked into the school. Since we will be digging up the hill we will hook up the electricity to the castle for King's Way. If someone on the borough knows or can find out where the electricity was cut or what is needed to bring electricity to that area. Also, Triangle Tech, which teaches welding and woodworking, works in conjunction with Bidwell. They have drawn up some projects for us. They get all their steel donated by U.S. Steel. The meeting with Pittsburgh Gateways went very well and they are going to do a study and running a project using the facilities. It is very feasible that this is going to work. The second phase for Pittsburgh Gateways is interviews. The next day after the meeting I received an e-mail from East McKeesport and they want to meet with Pittsburgh Gateways. I think that Wilmerding Council should also meet with Pittsburgh Gateways. At the meeting Al Volpe brought up that there was no letter sent to the school for a meeting. I have a copy of the letter and I believe that it should be resent. Roger D'Emido from East Allegheny still would like to use the school since it has multiple uses.

MR. T. LOCKE, WELSH AVE.: am I mistaken or did Al say specifically that the borough has to ask for the building.

MR. C. TUSCAN: there was a lot going on before that. Yes that is true but there were a lot of issues that we did not want the building at that time.

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MR. J. GAGETTA: I don't think it is time to say give us the building. It is time to say this is the plan that we have for the school. At that meeting you heard that Pittsburgh Gateways plans their strategies around the Heinz Endowment. Which you know we got the grant to do the study and they plan to be done with that study sometime in October. The next grant period for the Heinz Endowments is November.

MS. F. ARCHULETA, WELSH AVE.: I am here tonight to see if you can do something about Ordinance #899 concerning skateboards and other vehicles on the sidewalks. In the last two days I we got a petition with over 200 signatures from businesses, officials here in town and parents and teachers and we agree that the kids will stay out of trouble if they had a place to play. We are hearing that there are people here that want to expand Wilmerding and make it more towards business. You can't forget that there are families here. We would like to suggest that you make a skateboard park because there are a lot of kids that enjoy that type of activity. I think that they should be recognized just like a kid going to the Y to become an olympic swimmer that this is something that these kids want to do. Woodward, which is a skateboarding school, is one of the best in the country. It costs \$900 to go there for just a few weeks. My little boy fell victim to not having anything to do down here. Him and another kid found some alcohol in the bushes left by another kid and he almost died because he had alcohol poisoning. I am willing to get a lot of people to donate if they can get a designated spot.

MR. C. TUSCAN: it is something we can look into and we have talked about this before.

MR. L. FIASCO: we did put in a proposal to do something like that up at the Y field but our grant was turned down. We will continue to try and get some funding for this.

MR. D. GILLILAND: North Versailles got a grant to build a skate park in West Wilmerding this year.

MR. C. TUSCAN: we believe that recreation is very important to a community and like you said if the kids are doing something constructive there is less chance that they will be destructive.

MS. F. ARCHULETA: there is a place in North Versailles called Cheapskates and all the kids shop at his store. He built his park for under \$10,000 which is really cheap for a park.

MR. L. FIASCO: he built his with wood and three years later the wood deteriorated.

MS. F. ARCHULETA: all the kids have helmets and the proper gear and they are just looking for a place to go.

MR. T. LOCKE, WELSH AVE.: I would like to bring to Council's attention that up at the Y in the southwest corner of the ballfield there is a chain link fence there with an open pit. There used to be a grate over it and it is extremely hazardous. The grates that were there are warped and rusted and are just laying in there. If someone falls in there they are going to be seriously injured. Also, has council given any consideration for crime watch to have or share

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an office and making an auxiliary police station. I haven't received any response to that.

MR. S. SHURGOT: I did talk to Tom personally and told him that they could share the George Westinghouse room with you. Steve Volpe is in the process of trying to get you a file cabinet and keys to that. You also told me that you wanted a room inside and we haven't been able to clear that room out.

MR. T. KOENIG, SHIRING AGENCY: I am here for the Station Street Townhouses. Wilmerding Borough participated in building those supplied second and third mortgages. Project A had a \$20,000 second mortgage and Project B had \$2,500 from Wilmerding and \$42,500 from Allegheny County. On a couple of townhouses the terms have expired on their notes. However, the notes do not state their expiration dates. The county on the other hand does have an expiration date. I hope we can solve that problem tonight by adopting language that would expire that note at the end of the term. We are closing on the townhouse at 348 Station Street and there is no language in the note to deal with the issue of expiring the note. The note was for ten years from 1995 to 2005 and the note should have expired in 2005. Here we are in 2007, two years after the note, and the note is still enforced.

MR. G. EVASHAVIK: this issue has come up from time to time and Tom has called our office because he is involved in the transfer of this property. The reason this is even a question is that the way these mortgage notes were drafted there is a re-payment schedule. This program was put into place back around 1990 and the money came from various programs through Wilmerding to encourage long term residential ownership of properties in the borough. The mortgage notes included a re-payment schedule along with a formula depending on how long the homeowner stayed in the property. However, there is also an exhibit as part of the mortgage note. It talks about the Wilmerding Second Mortgage program in conjunction with the County. These original mortgages were sent up with the County and it talks about the mortgage not having to be re-paid at all after a fixed amount of time if the homeowner stayed in the property. There is a document, exhibit B, which is not part of the original mortgage. If the loan was less than \$15,000 it would not have to be re-paid if the homeowner stayed in the property for over five years. If the loan was between \$15,000 and \$40,000 and the property owner stayed there for over ten years then the loan would not have to be re-paid. This came up in 2001 and there was a transfer of one of the townhouses where the property owner claimed that they have been there for more than ten years that the loan did not have to be re-paid. We could not find the language in the mortgage loan document. We contacted the County asking them if this is correct that after ten years this mortgage does not have to be re-paid. They wrote back and said that it did not have to be re-paid after ten years. Since then other properties have been transferred and we as the Solicitor made a ruling that it is the Second Mortgage Program and it is in this range of \$15,000 to \$40,000 and the same rule would apply. I have the original mortgage note for 348 Station Street and they acquired it in 1995 and it is obviously more than ten years. From everything that I can see, it does appear that this is part of the Wilmerding Second Mortgage Program and it does appear that this qualifies within that mortgage forgiveness period because they were there more than ten years. The reason I am going into detail is that the fact that the mortgage does not have to be re-paid after ten years is not in the original loan. I do not know why it was set up that way because it would have been

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crystal clear and we would not be talking about this. Because it is not in that original mortgage agreement you have to look for another exhibit. From everything I can see this would be eligible for forgiveness and a motion by Council to satisfy this. I cannot see any reason why we would not grant that request.

MR. S. SHURGOT: from what I can remember and from what you mentioned, it was forgiven after ten years.

MR. T. KOENIG: here is where our problem lies. In the re-payment language, as Greg was saying, it states that after the eighth year of the first mortgage loan the re-payment is. The problem is that after the eighth year, which could be the thirtieth year, because you are not expiring the note and it never goes away. If you do not sell your property after thirty years you still got note hanging over your head. We need to have a definite date. The other problem that is coming up, in four more years the first six townhouses were under Project A which were ten year terms. The last nineteen townhouses are under Project B and those are going to be expiring in the next four to five years. We need to adopt the language where it sets a definite date of expiration.

MR. G. EVASHAVIK: I understand what you are asking Tom and it is my opinion that we deal with these one at a time. The language is fixed and the mortgage note applies to each one of these units. Each time this Council would have to make a motion to sign the Satisfaction Piece to satisfy the mortgage. It has to be done at the time of the closing. This would protect the seller and the new buyer. I have submitted a satisfaction piece and if you are all in agreement with the explanation that I have given you then you would need to make a motion to execute the Mortgage Satisfaction for 348 Station Street.

L. FIASCO/C. SPICUZZA TO EXECUTE THE MORTGAGE SATISFACTION FOR 348 STATION STREET. MEMBERS VOTED APPROVAL, 6-0.

MRS. T. HICKMAN: I have two questions. First, when the street cleaner came to town and move the dirt away from the curbs, why weren't the residents notified that they were coming.

MR. L. FIASCO: honestly I did not know they were coming either.

MRS. T. HICKMAN: is our park bench going to be replaced. If it is not going to be replaced then the money that was going to be used to replace it could be used for some of these new projects.

MR. L. FIASCO: they are not all in yet. That one was covered by the insurance.

MRS. T. HICKMAN: we do have a Planning Commission and there are things that need to come in front of the Planning Commission.

MR. M. TRKULA, MIDDLE AVE.: I sent Council a letter last month requesting a copy of the

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meeting minutes involving the benefit package when it was changed from family to single.

MR. S. SHURGOT: we do not discuss personnel matters in public.

MR. C. TUSCAN: You knew at the time you were hired what you were offered. You will have a meeting with the Personnel Committee to discuss this.

MR. M. TRKULA: my next question is, the park benches that are going in on Mr. Barchetti's property and Bobby Redshaw's property. How much did we pay for those benches.

MR. C. TUSCAN: I don't believe that is their property.

MR. D. GILLILAND: they are on the street right of way.

MR. M. TRKULA: but the borough does not repair them, replace them or maintain them. We do not shovel them.

MR. D. GILLILAND: it is the property owner's responsibility to take care of the sidewalk even though it is our right of way.

MR. M. TRKULA: my next question is, what if Mr. Schnars and Mr. Powell who own Shiring's want a bench in front of their place. Are they entitled to it too.

MAYOR D. POMPOSELLI: those benches were put in when they remodeled that whole square. We are just replacing the benches that were there.

MR. M. TRKULA: what price are we replacing them.

MR. C. TUSCAN: I do not know off hand.

MR. M. TRKULA: we have at least five benches sitting in the other garage.

MR. C. TUSCAN: those benches are going to be put down at the walking trail.

MRS. A. BRUCE, AIRBRAKE AVE.: I have a question on the garbage bill. We went from \$25 to \$36 that is a huge amount.

MR. C. TUSCAN: our contract expired at the end of last year. The new contract went up sixty-five percent for the first year and I believe it is about seventy-nine percent in the final year.

MR. G. JAKUB: every time we sign a new contract there is a rate in there for fuel adjustment.

MRS. A. BRUCE: I don't mind paying the \$36 because they do pick up a lot. What I do mind is that when the drop something they don't stop and pick it up. My main objection is that we

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have a lot of people that are not paying their garbage. I think we should be updated on the people that are not paying it.

MR. G. JAKUB: the other cost factor in garbage collection is the dump site. They have been increasing the costs at the landfill. We are working on the list and we will get you an update.

MRS. A. BRUCE: are the businesses paying their own or are they paying the borough.

MR. C. TUSCAN: most of the businesses have their own pick ups.

MR. S. SHURGOT: we are working on the list of who owes what. We can refuse to pick up their garbage but they will just move it someplace else. We made a motion at the last council meeting that anyone over a hundred dollars that we were going to take them to collection.

MR. P. LIVERATTI, AIRBRAKE AVE.: last month you brought up that you were going to put up some fishing along Airbrake Ave. I think it is very dangerous to have that there.

MR. S. SHURGOT: we talked about that last year and we still have not made a decision.

MR. P. LIVERATTI: I think you are foolish if you do. If you put three jersey barriers up you are going to have buses that are thirteen wide going through there, you are going to have a lot of problems. I think that idea should be thrown out. I agree with you that you should have someplace for them to fish but have a place that is safe. Steve, you also mentioned that anything over \$100 that you were going to pursue. By who.

MR. S. SHURGOT: we are going to turn it into a collection agency. My thought is that we should send everyone a letter first saying they owe this much and have thirty days to make payment arrangements and if not they are going to a collection agency. If you send it to collection you have to pay a percentage. The sewage accounts have already been turned over to a collection agency and they have made attempts to collect that. I don't think that money is going to be recoverable. If you want I can put the list on the borough website.

MRS. A. BRUCE: to get back to this fishing on Airbrake Avenue. I know you haven't decided on anything yet but if you put up the jersey barriers you are allowing them to fish. You should see how many kids run back and forth and it is very dangerous.

MR. C. TUSCAN: the thought of Council at the time was that we would like to see something different. It is not feasible at this point in time.

MRS. A. BRUCE: the property down there on Fifth Street, the ground is terrible. Why do you have to go down there and tell them to clean it up all the time. Why can't you tell them that if you have to come back they will be cited.

MR. G. EVASHAVIK: you have to give them time to comply. If this is a repeated problem

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and you continue to go down there and that is a different scenario and that is at the discretion of John. The Magistrate will have the ultimate say and everything needs to be documented.

MR. J. NALEVANKO: I have addressed the problem and it is being resolved. It is not going to be taken care of tomorrow. I assure you that it will be resolved. The sidewalk is going to be replaced and it does take some time.

CORRESPONDENCE

1. received a letter from Ms. Kathy DePuy who is seeking the nomination of Second Vice President of the State Borough's Association. She is asking us for her support.

C. SPICUZZA/G. JAKUB TO SUPPORT THE NOMINATION OF KATHY DEPUY, OF WHITEHALL BOROUGH, FOR THE SECOND VICE PRESIDENT OF THE STATE BOROUGHS ASSOCIATION. MEMBERS VOTED APPROVAL, 6-0.

2. received a request for a donation to the George Westinghouse Days Festival.

L. FIASCO/C. SPICUZZA TO DONATE \$500 TO THE GEORGE WESTINGHOUSE DAYS FESTIVAL.
MEMBERS VOTED APPROVAL, 6-0.

3. received a request for a donation to the COG Hospitality room at Seven Springs during the annual conference.

C. SPICUZZA/L. FIASCO TO DONATE \$100 TO THE COG HOSPITALITY ROOM AT SEVEN SPRINGS. MEMBERS VOTED APPROVAL, 6-0.

4. received a letter from Westinghouse Elementary School requesting permission to hold their annual Picnic in the Park on Friday June 1, 2007 from 7:45 a.m. to 2:30 p.m. They would like us to block off the circle and they will clean up after the days activities.

G. JAKUB/S. VOLPE TO GRANT THEM PERMISSION TO USE THE PARK. MEMBERS VOTED APPROVAL, 6-0.

5. received a letter from 3 Rivers Wet Weather asking for our primary and alternate representative.

Mr. Greg Jakub said he would be the representative and Mr. Larry Fiasco said he would be the alternate.

6. received a letter from Turtle Creek COG asking us if we would be interested in serving on a board for discussions with Verizon for franchise agreements.

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MR. C. TUSCAN: we are interested depending on what he costs are. We think that COG should just get the information for us at this time.

COMMITTEE REPORTS

PUBLIC SAFETY - S. SHURGOT: received a request for a handicap sign for 117 State St. He has provided us with all the required information and everything seems to be in order.

S. SHURGOT/C. SPICUZZA TO GRANT THE REQUEST FOR A HANDICAP SIGN AT 117 STATE ST. MEMBERS VOTED APPROVAL, 6-0.

MR. S. SHURGOT: we talked last month on when we wanted to start the curfew. I was talking to Joe Clemenic today and I agree with his suggestion that we sound the curfew whistle from Memorial Day to Labor Day.

S. SHURGOT/C. SPICUZZA TO HAVE THE CURFEW WHISTLE BLOW FROM MEMORIAL DAY TO LABOR DAY. MEMBERS VOTED APPROVAL, 6-0.

MR. S. SHURGOT: I attended an emergency management meeting and the monthly training down at the county. I attended a meeting at North Versailles last night and the disaster evacuation maps are still at the printers. There are also some other NIMS compliance. All Emergency Management Coordinators have to have 300 & 400 level training. I would like to have a meeting with the fire department the week of the 23rd. I received the report for March from the fire department and they responded to 17 calls with 39 man hours. I also received the report for March from the ambulance and they responded to 45 calls. I will now let the Chief give the police report.

CHIEF J. COMUNALE: for the month of March our department responded to 276 general complaints, 32 citations were issued and 6 parking tickets. I also addressed with my officers some of the patrol checks which include the parks, the area in front of the deli and the post office, the area in front of the Sport's Page for loitering and blocking the ingress and egress and blocking the sidewalks. The wooden fence across the street, that we had repaired last year, is broken again. There are about four or five slats taken out of it. Maybe the public works department can fix it and this time try screwing some two by fours behind it so that they cannot kick them out. I will also talk to WABTEC because the fence is broken over there and there is a light out and maybe they can get that repaired and it would make it easier for us to see. We are also going to talk to Norfolk Southern to see if they can post some signs on WABTECS fence and on this fence about trespassing on railroad property. I know some of that fence belong's to Shiring's and I approached them and they did not seem interested in repairing it. It would not take much to repair it. I would like to see about turning the lights back on at the Y.M.C.A.

MR. S. SHURGOT: was there a problem with the Y.M.C.A. expecting a payment from us for the lights.
I was thinking May 1st. Do you think it should be sooner.

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CHIEF J. COMUNALE: I was not aware of that. The reason I think it should be on sooner is that there are kids with the skateboards and maybe you can let them ride up there until the skate park is built.

MR. L. FIASCO: is there a liability issue with the borough. Can we put up some kind of sign that says we are not liable.

CHIEF J. COMUNALE: maybe you can check with Monroeville. They had a similar thing when they built the skate park. Their Solicitor told them what they had to put on the sign so that they would not be responsible.

MR. L. FIASCO: I will check with them.

MR. C. TUSCAN: when we had the recreation meeting with the other communities the consultant said something about the signage. He said that if the signage is right there should be no liability.

L. FIASCO/G. JAKUB TO AMEND THE ORDINANCE TO ALLOW SKATEBOARDS AT THE Y FIELD ONCE THE SIGNS ARE IN PLACE. MEMBERS VOTED APPROVAL, 6-0.

CHIEF J. COMUNALE: I want to see about getting a "watch children" sign on Watkins Ave. We had a little girl hit by a car over there today and she is fine. The gentleman who hit the little girl stopped at the stop sign so there was no violation. He continued to go up the road and she darted out between two parked cars. We need a "watch children" sign there, possibly at the beginning of the street.

MR. G. JAKUB: do you think we will have a problem up at the field if there are people playing basketball and a group wants to skateboard.

CHIEF J. COMUNALE: I don' think so but we will handle it on a day to day basis.

MR. S. SHURGOT: when do you want us to put the lights on.

CHIEF J. COMUNALE: how about the week after Easter.

MR. T. LOCKE: are you going to have a bicycle policeman down here in the summer.

CHIEF J. COMUNALE: the township is looking to cut my part time budget. We will have to wait and see. They have to ride in pairs. What about if we supply one and you supply one to split the cost. I will work out a figure for you.

MR. C. SPICUZZA: do you have anything in Wilmerding, like you do in North Versailles, where the businesses have set up where you can go and see monitoring. Is there anything here that would help with the crime watch community.

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CHIEF J. COMUNALE: just so that everyone knows what he is talking about, we had a bank robbery at Citizens Bank and a video from two stores not related to the bank and one video from a store related to the bank helped to solve the crime. We were able to pick the guy out just from the video. It solved not one but five bank robberies. Tom Setz talked to me about putting cameras in his business, better than he has right now. He wanted to see about putting a camera on a pole at Westinghouse and Station facing his building. I said while you are doing that why don't you put one facing down Station Street also. It does cost money and maybe there is a grant out there.

CODE ENFORCEMENT - J. NALEVANKO: there are a few signs that have graffiti on them. One is the "Do Not Enter" sign at the rear of the Faller Building, another one is the handicap sign on Westinghouse Avenue going into the park. There is a drainage problem on Orient Avenue going into vacant lot, I talked to Dave about this.

MR. D. GILLILAND: I am aware of the problem there. We only received enough money to fix the slide, that is what the grant was for. We can get you an estimate on piping it to the nearest catch basin.

MR. J. NALEVANKO: I also turned over to Dave the Health Department report for 417 Patton Street concerning damage to their front porch foundation and the concrete steps. I was on the WABTEC property this week and I was confronted by two individuals from WABTEC. It was brought to my attention that they haven't seen anybody from Code Enforcement or Building Inspection on WABTEC property since the days of George Westinghouse. They were surprised to see me and surprised to know that I am aware of what goes on on a day to day basis. This was brought up a few months ago about the curb on Clara Street by the apartments where the problem is that the curb is eroded and the Waste Management trucks, with the direction they have to go, is causing a problem on that corner. Did Glenn Engineering ever come down and decided who is responsible for that.

MR. D. GILLILAND: Don did come down and said it is the owner's responsibility.

MR. J. NALEVANKO: last month there was a gentleman here who wanted to bring a tow truck home because it is part of his job. He lives in the corner house and may I make a suggestion that he park that truck on the side road instead on of the main street. I don't know if it would be wide enough for emergency vehicles. The only problem I have is that people may not know that he has permission to park that truck there. The next issue concerns aerial antennas that possibly leased by the hi rise and the county. I don't know if you are aware of the program that all the county hi rises want to lease their roof tops. I don't believe the borough has any regulations that prohibit any of these antennas to be placed.

MR. C. TUSCAN: the borough has had antennas on the hi rise for years for the fire department.

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MR. J. NALEVANKO: I would like to bring this up to the Solicitor as it was brought up people being delinquent on their garbage bills. Is there something that before an occupancy license is issued to a prospected landlord that these issues are brought to their attention. Before an occupancy permit can be issued all back bills shall be paid.

MR. C. TUSCAN: we already have that ordinance in place. The ordinance states that any monies owed to the borough must be paid before an occupancy permit is issued.

MR. J. NALEVANKO: however, there are a lot of landlords that are delinquent in their garbage that have an occupancy license. This ordinance has been overlooked and I think that it should be enforced.

MR. C. TUSCAN: now that you have the list and are issuing the license you can do it.

MR. J. NALEVANKO: there is a class coming up on code administration essentials and I would like permission to attend.

L. FIASCO/C. SPICUZZA TO SEND JOHN NALEVANKO TO THE CLASS ON CODE ADMINISTRATION ESSENTIALS. MEMBERS VOTED APPROVAL, 6-0.

MR. S. VOLPE: John if you have a list of the signs that need replaced give it to Larry.

PUBLIC WORKS - L. FIASCO: the public works department will start using the new time sheets.

MR. S. VOLPE: when is the spring clean up scheduled.

MR. L. FIASCO: we are going to schedule it for May 19th. I will notify Waste Management for the dumpsters.

COG REPORT - S. SHURGOT: there was a lot of discussion on Verizon taking over the cable service. Also, the vector is back in operation.

ENGINEER - D. GILLILAND: CD 33 project for the bleachers will be advertised for bid in May. I sent a letter to the county asking them to repair the guide rail on Avenue U and they said that it is the borough's responsibility. The borough has received all the funds due from FEMA & PEMA from Hurricane Ivan. Mr. Glenn inspected the drainage problem in Card Alley and he could not find any running water. The french drains that were installed years ago are designed to intercept any water flowing underground. Another problem may exist due to vehicles parking over this drain and turning their wheels and the weight of the vehicle may have rendered the surface useless to absorb water by forcing dirt and or mud into and blocking the french drain. The owner of 253 Orient Avenue has installed the required pipe at their new driveway, therefore the citation was withdrawn, but she still has to pay the \$100 fee to obtain a street opening permit. Mr. Glenn inspected the cracking of the street in 800 - 1000 block of Airbrake Avenue. This cracking is not unique, in fact most of the entire length of Airbrake Avenue is seen to demonstrate minor cracks along this sam

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line. What was observed was that traffic does shift to this side due to the fact vehicles are parked on the northerly side. Buses and trucks routinely use Airbrake Avenue since there is no weight restriction. The cracks are minor in nature and should be sealed in early spring after complete showing of the ground and also prior to the winter season. The next time Airbrake Avenue is resurfaced this area should receive a scratch coat of additional binder.

Our grant application for the walking trail was not funded but will be considered for the next round of funding from the DCNR to be announced in the fall. PennDOT has requested an on-site utility meeting, which has been scheduled for April 11th, for the safe route to school project. They also requested another set of specifications for the job. No word on an advertising date has been set.

UTILITIES: no report.

SOLICITOR - G. EVASHAVIK: we have already discussed the sale of the townhouse.

FINANCE - S. SHURGOT: the audit is being delayed until mid May because she is behind on some stuff and is still waiting for some books from the borough. Joe has suggested to me to transfer \$200,000 into a six month CD for the Police Pension Fund.

S. SHURGOT/L. FIASCO TO TRANSFER \$200,000 FROM THE POLICE PENSION FUND TO A SIX MONTH CD. MEMBERS VOTED APPROVAL, 6-0.

MR. S. SHURGOT: I gave Larry Fiasco the new time sheets and I would like them to start using them. I passed out to all Councilmen a list of delinquents in all categories. As we talked earlier I would like to send everyone a letter who owes over \$100. Anyone who hasn't responded or set up payment arrangements to turn them over to a collection agency. I will put a copy of this on the website. There is a piece of property owned by Rail Acquisition that we are not sure what happened to the property but from 2003 they owed us \$21,000 in taxes. We think that it was something that was sold and subdivided.

S. SHURGOT/S. VOLPE TO PAY ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 6-0.

BOROUGH PROPERTY - S. VOLPE: there are cars parking on the sidewalk and inside the gate up at the Y. We are working on getting the front door fixed. The wall outside holding up the ramp is starting to crumble. We are going to see what we can do about that.

MR. L. FIASCO: there used to be a pole in the middle of that fence for the gate. Maybe we can put that back and that would solve that problem.

RECREATION - L. FIASCO: this Saturday we will be having Breakfast with the Easter Bunny up at the Castle starting at 9:00 a.m. That would be followed by the Easter Egg Hunt at 11:00 a.m. in the park.

PLANNING - C. SPICUZZA: I missed the meeting and I will get a report for next month.

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PERSONNEL - S. SHURGOT: I circulated some job descriptions to see what you think so that we can have job descriptions for all employees. There is also a evaluation form that I would like to use this year. I would also like to meet the week of the 23rd at the same time meet with the fire department and right after that get some answers for Mike's questions.

OLD BUSINESS

MR. S. SHURGOT: we resent the letter to the school to meet again.

NEW BUSINESS

MR. S. SHURGOT: I talked to John Nalevanko and Chief Comunale about the playground on Airbrake Avenue. That playground is kind of unique because we have a mixture of young children and old children. The first thing we should do is put up some signs for the rules of the park. The second thing is to see if we can get a price to put up a fence around the tot lot that we can lock to keep the children from running out into the street.

MR. L. FIASCO: the problem I have about closing at dusk is that we are supplying lights and if we are closing it why do we need the lights on.

MR. S. SHURGOT: the lights are on the basketball court, I am talking about the tot lot. If the lights go out at ten o'clock then lock the other part also. Also, we have to make a decision tonight because our Building Inspector can only work until April 9th when his certification expires. The names we have are Keith Evers, Scott Zehar and Steve Volpe.

MR. L. FIASCO: I think Keith Evers was the closest and he had a little more leeway with time restraints. I don't believe he had the commercial certification.

MR. S. VOLPE: Keith Evers works full time in North Huntingdon and he can only do it here on nights and weekends.

L. FIASCO/ TO HIRE KEITH EVERS AS BUILDING INSPECTOR.

MR. G. JAKUB: my concern is that will he be available when we need him.

C. SPICUZZA/S. SHURGOT TO APPOINT SMV ASSOCIATES AS OUR BUILDING INSPECTOR.

MR. L. FIASCO: my only concern with Steve is that he does own property in town. We are going to go outside to have his property inspected at some point in time.

MR. S. VOLPE: here is the difference between me and him. I am available doing the day. He can only come in the evenings and on weekends. He charges by the hour. I would charge whatever the fee would be.

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MR. C. TUSCAN: Greg, can we appoint Steve as building inspector even though he owns property in town.

MR. G. EVASHAVIK: he cannot inspect his own properties or properties that are owned by his immediate family.

MR. S. VOLPE: the Code Enforcement Officer can inspect for occupancy permits. I would have to go to a third party agency to get a building inspector.

MR. G. EVASHAVIK: I think that is true in this case, he would have to pay for his own inspector and that would have to satisfy the Engineer. The Engineer would not be making the inspection but he would be familiar with the qualifications that are required for the inspection permit.

MR. S. VOLPE: if John takes the BCO class then he would be the first one responsible to oversee that. Each borough has to have someone certified in BCO. Originally I put my name in the pot because I couldn't see spending \$16,000 and only bringing \$2,800 in.

MR. L. FIASCO: how would you structure your pay. You said that you would only get paid what the fee was.

MR. S. VOLPE: that is correct.

MR. G. EVASHAVIK: I gave you a legal opinion in a memo dated Jan. 23, 2007 where a member of Borough Council has to follow certain parameters to make it legal for him to do this. In order for him to be paid, and we are not going to pay him by the hour and he is only going to be compensated by what he collects,. The money still has to go through the borough. He can't go out there and say make the check to me, personally. It has to made payable to the borough and everything has to filter through the borough. He has to be an at will employee, which he can be because the population is less than 3,000.

MR. L. FIASCO: I will withdraw my nomination of Keith Evers.

MR. C. SPICUZZA: I will withdraw my original motion for the appointment of SMV Associates.

C. SPICUZZA/S. SHURGOT TO APPOINT SMV ASSOCIATES AS BUILDING INSPECTOR SERVING AS AN AT WILL EMPLOYEE AND TO BE COMPENSATED BY THE FEES HE COLLECTS. ROLL CALL: G. JAKUB, yes; L. FIASCO, yes; C. SPICUZZA, yes; S. VOLPE, abstain, S. SHURGOT, yes; C. TUSCAN, yes. MEMBERS VOTED APPROVAL, 5-0-1.

MAYOR'S REMARKS - D. POMPOSELLI: everything is going well but the meetings are too long.

Meeting adjourned at 9:47 p.m.

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