

BOROUGH OF WILMERDING  
MINUTES OF THE JAN. 9, 2007 REGULAR MEETING OF COUNCIL

The meeting was called to order at 7:35 p.m. by President C. Tuscan.

The Pledge of Allegiance was led by the President.

**ROLL CALL: L. FIASCO, present; J. CLEMENIC, present; C. SPICUZZA, present; S. VOLPE, present; S. SHURGOT, present; C. TUSCAN, present. MAYOR D. POMPOSELLI was also present.**

**J. CLEMENIC/S. SHURGOT TO ACCEPT THE MINUTES OF THE DEC. 5, 2006 AND DEC. 19, 2006 MINUTES AS PRESENTED. MEMBERS VOTED APPROVAL, 6-0.**

**PETITIONS & MEMORIALS**

**MR. M. TRKULA, MIDDLE AVE.:** on Dec. 25<sup>th</sup>, Christmas Day, there were two traffic lights out at the same time and the police called us out to replace them. I wasn't home and Jimmy had no way of getting a hold of me. Since I am required to be on call twenty-four hours a day, has Council or the Public Works Committee come up with any, I am just going to say pager, cell phone. If it wasn't for me carrying a fire radio there would have been no way for him to get a hold of me. If the dispatcher can't get a hold of Ginzo then they are to get a hold of me. With the snow coming and everything else, I don't sit at home waiting for it to snow. It has been about a month since I have been without a pager. I don't want to miss overtime.

**MR. L. FIASCO:** we are looking into bids on communications when we made that motion in December. We have not received anything.

**L. FIASCO/J. CLEMENIC TO GET A PAGER FOR THE PUBLIC WORKS EMPLOYEE. MEMBERS VOTED APPROVAL, 6-0.**

**MR. C. TUSCAN:** we have a vacancy on Council and the Solicitor has informed us that it is pass the thirty days that we were required to fill the position. On Jan. 5<sup>th</sup> the thirty days were up. In order to fill the vacancy we have to do it through the Vacancy Board.

**MR. G. EVASHAVIK:** whenever there is a vacancy on Council, Council has 30 days to fill that position from the date of the vacancy. After the 30 days the Vacancy Board has 15 days to fill the vacancy. The Vacancy Board is comprised of Borough Council and one citizen of the Borough of Wilmerding. As far as I know there has been no one appointed to the Vacancy Board for the current year. The first order of business would be for Borough Council to appoint a citizen of the borough to the Vacancy Board and at that time the Vacancy Board would be filled. So at this time Borough Council would need to appoint someone to the Vacancy Board.

**S. SHURGOT/C. SPICUZZA TO APPOINT JAMES CORTAZZO TO SIT ON THE VACANCY BOARD FOR THE BOROUGH OF WILMERDING. MEMBERS VOTED APPROVAL, 6-0.**

**MR. C. TUSCAN:** at this time we will recess the meeting so that the Vacancy Board can convene.

**VACANCY BOARD MEETING**

**MR. G. EVASHAVIK:** the Vacancy Board, comprised of Borough Council and Mr. Cortazzo, can now take action to fill the vacancy on Council. Mr. Cortazzo has the same vote as other members of council. You can make nominations on individual candidates one at a time. Normally, what you would do is accept nominations and if there is only one candidate you vote on that candidate. You can also make a nomination to appoint someone and vote on that. It is your option.

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**MR. C. TUSCAN:** last month we interviewed two candidates for the position and that was Dale Edwards and Greg Jakub. Tonight we also received a letter from Karen Peterson.

**S. SHURGOT/J. CLEMENIC TO NOMINATE GREG JAKUB FOR THE VACANT COUNCIL SEAT.**

**MR. C. TUSCAN:** are there any other nominations.

**C. SPICUZZA/L. FIASCO TO NOMINATE KAREN PETERSON FOR THE VACANT COUNCIL SEAT.**

**MR. C. TUSCAN:** are there any other nominations. Since there are no other nominations we will take a roll call.

**ROLL CALL: J. Cortazzo, G. JAKUB; L. Fiasco, K. PETERSON; J. Clemenic, G. JAKUB; C. Spicuzza, K. PETERSON; S. Volpe; G. JAKUB; S. Shurgot, G. JAKUB; C. Tuscan, G. JAKUB.**

**MR. GREG JAKUB WAS NOMINATED BY 5-2 VOTE.**

**MR. C. TUSCAN:** this will now conclude the Vacancy Board meeting. Mr. Jakub, can you please come forward and be sworn in by the Mayor.

**MAYOR D. POMPOSELLI ADMINISTERED THE OATH OF OFFICE TO MR. GREG JAKUB.**

**CORRESPONDENCE**

1. received a notice on the conference at Seven Springs to be held from April 12<sup>th</sup> to the 15<sup>th</sup>.

**MR. C. TUSCAN:** we budgeted for everyone to attend one conference for the year.

**S. SHURGOT/L. FIASCO THAT ANY COUNCILMAN CAN ATTEND IN THE SPRING OR THE FALL. ANY NEW COUNCILMAN CAN GO TO THE NEW COUNCIL ACADEMY IN PLACE OF SEVEN SPRINGS. MEMBERS VOTED APPROVAL, 6-0.**

**MR. C. TUSCAN:** any one that is going please give your name to Joe as soon as possible since this one feels up quickly.

**COMMITTEE REPORTS**

**PUBLIC SAFETY - S. SHURGOT:** we set a date this evening to meet with the fire department. The ambulance responded to 39 calls in December and a total of 438 calls for the year. The fire department responded to 18 calls in December and had 48 man hours. We have received a lot of calls about the siren for the curfew and I would like to suspend the operation of the siren for the curfew during the winter months, from Oct. 31<sup>st</sup> to Mar. 21<sup>st</sup> which is the beginning of spring.

**S. SHURGOT/C. SPICUZZA TO SUSPEND THE OPERATION OF THE SIREN FOR THE CURFEW FROM OCT. 31<sup>ST</sup> TO MAR. 21<sup>ST</sup>. MEMBERS VOTED APPROVAL, 6-0.**

**MR. S. SHURGOT:** under parking, we would like to paint the curb yellow across from the post office, which is posted for fifteen minute parking, and make it no parking in that area. It seems that people are parking there longer than fifteen minutes and it would not be an inconvenience for anyone because there is enough parking in that area.

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**S. SHURGOT/C. SPICUZZA TO PAINT THE CURB YELLOW IN FRONT OF THE SHIRING AGENCY AND DO AWAY WITH THE FIFTEEN MINUTE PARKING. MEMBERS VOTED APPROVAL, 6-0.**

**CHIEF J. COMUNALE:** the police department responded to 251 calls in December, which is down a little, there were 9 parking tickets written and 16 traffic citations issued. I put a yearly report together and did some comparisons from 2003 to 2006. I will leave this here but briefly, under general complaints, in 2003 there were 380, in 2004 there were 441, in 2005 there were 501 and in 2006 there were 1,626. These are complaints that do not fit into any other category. These are not calls but whenever they check the churches, Kings Way, the park and the playgrounds I wanted it logged. That is why it is so high. It is not a call it is just a stat. Some of the calls did increase but the calls that we wanted to decrease did decrease. For instance, domestics went down, juvenile complaints held their own, thefts and robberies went down considerably, accidents held their own, ambulance calls went up and suspicious activities were up. Drug cases and DUI's went down and so did missing persons. Just a reminder that we are going to be holding the Citizen Police Academy at the end of the month and you can pick up an application from Joe Hartzell. There is a \$20 entry fee which would cover your shirt and the supplies that we need. It is a thirteen week course.

**MR. L. FIASCO:** you have an age limit of eighteen years and older. My son wants to attend but he will not be eighteen until May.

**CHIEF J. COMUNALE:** it would be up to the Wilmerding Crime Watch but I do not have a problem with that as long as you are there when we do the firearms.

**MR. S. SHURGOT:** under Emergency Management I attended the last crime watch meeting and they had a pretty good crowd for being around the holidays. We encourage the residents to get involved with crime watch. The more people the better the crime watch could be. Also, the Mayor and I met with the Chief and their President, George Thompson, and I felt it was a very positive meeting. The Mayor addressed most of his concerns and hopefully he is satisfied with the meeting.

**MAYOR D. POMPOSELLI:** it went pretty well and I had one thing about the signs and they are down already. I just want to thank Mr. Cortazzo for doing that.

**CODE ENFORCEMENT - J. NALEVANKO:** I am working diligently with the Post Office to have the mail carriers tell me if there are any steps broken. I sent a letter out to 424 Middle Ave. informing the owner that he had 30 days to repair the steps leading up to his mail box. I am also working with Equitable Gas. I had an incident where the tenants were turning the meters around and the service was subtracted, it wasn't added. I had one incident with the Health Department this month that they contacted me on. I am trying to work with these other agencies to help myself out. Other than the incident we had today, from a commercial standpoint, that is the focal point of people coming into town. There seems to be less garbage out on the streets and we seemed to curtail that. I am also going to be checking dog tags. They have to be licensed by the end of this month. I will be keeping after them. Also, the playground area at Avenue U, it is not well lite and we had a lot of people frequent that area at night. Right now there is no garbage can there and we need to get one there.

**MR. S. SHURGOT:** we talked after our meeting with the police about putting a small light at the Avenue U playground and also we need a sign there that says that the park closes at dusk.

**MR. J. NALEVANKO:** there is one sign on the fence but it is up high. The one about the animals is across the street parallel with the grassy knoll. One problem I see is that there are a lot of people moving into town without getting an occupancy permit. I am stopping these people and telling to come over and file for that. Another concern of mine, on the industrial side, would be the property of the island over there with Wabtec and Thomas Rigging. Maybe council can have Don Glenn look into this to see what it is actually zoned for that piece of ground. I am concerned about the

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storage trailers they have there and they are stacked four high. I don't want to see that come into the area across from Airbrake Ave. and have storage trailers stacked up there. It would be an eyesore, not only for the people coming into town but for the people that live on Airbrake Ave. There are less and less unregistered vehicles on the road. I had thirty-eight inquires and I make sure that each call that comes in that I personally see these people.

**MR. S. SHURGOT:** we talked at the workshop about the alley we opened up for the dumpster behind the Parkhouse building. When we did that the dumpster was supposed to be on wheels in case of a fire or an emergency you can wheel it out of the way. There was also the time we helped out the pizza shop when the building was vacated and there was no utilities, they closed in where the garbage used to be stored so they could put propane in there. The dumpster is no longer on wheels and it is an eyesore as you come into town as John stated. It is a safety hazard as well as a health hazard.

**S. SHURGOT/L. FIASCO TO OPEN THE ALLEY BACK UP AND GET RID OF THE DUMPSTER AND STORE THE GARBAGE WHERE THEY USED TO BY FEBRUARY 6<sup>TH</sup>. MEMBERS VOTED APPROVAL, 6-0.**

**MR. C. TUSCAN:** John and Steve got together and came up with a newsletter. It contains general information and numbers of Borough Officials. They plan on doing it seasonally.

**MR. S. SHURGOT:** every resident and every landlord will get one.

**PUBLIC WORKS - L. FIASCO:** everything seems to be going more smoothly since we had the meeting with them. I plan on spending a little more time with them.

**COG REPORT - C. TUSCAN:** no report, they did not have a meeting in December due to the holiday.

**ENGINEER'S REPORT - D. GLENN:** I met with the water company and they will come out and do the repairs to the sewer lines that they damaged. I also contacted the Health Department concerning 710 Middle Avenue and the raw sewage that is being discharged at this location. I sent a letter to the property owner at 253 Orient Avenue informing her that when she put her driveway in she failed to obtain a street opening permit and blocked an open channel which conveyed storm water runoff. I ordered her to correct the problem within ten days. With the winter weather coming this is going to cause an icy condition in that area. Sent letters to the different boroughs that were included in the bid advertisement for sewer system deficiencies. The cost for advertising was \$697.48 and each boroughs share will be \$87.19. Everyone should have the correspondence between the Solicitor and our office concerning the retaining wall at 309 Marguerite Ave. The park benches are in and I obtained a quote from J. L. Urban to install the benches at a cost of \$200 each. I believe the installation is beyond the capability of the Public Works Department, due to the weight of the benches, however, this need to be verified by Jim Cortazzo. If it is Councils direction to have Mr. Urban install the benches then I will notify him accordingly. Bids were opened on behalf of the Boroughs of Braddock, Chalfant, East McKeesport, East Pittsburgh, Homestead, North Braddock, Wall and Wilmerding on Thursday Dec. 28, 2006. The apparent low bidder is S & E Concrete Creations for a total of all bid items of \$425,471. The total bid for your items was \$111,000 which is \$61,000 over the budgeted amount of \$50,000. We have worked previously with this contractor on similar work and have found his performance to be satisfactory. Note that bid items W-56 for \$8,380 and W-57 for \$47,655, for a total of \$56,035, represents replacement of sections of twenty inch diameter pipe within the right of way of the steps from Airbrake Avenue to Middle Avenue. Excavation and pipe repair is anticipated to be quite difficult due to location and depth. It is recommended that these items be deleted at this time and deferred to a subsequent phase of repairs. This will reduce the bid to \$54,965. It is my recommendation that Borough Council accept their portion of the bid from S & E Concrete Creations for \$54,965. The work that needs to be done we do not have an option. It is mandated by the DEP and if we do not do it we will be fined and that fine could be \$10,000 a day.

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**MR. L. FIASCO:** is there a time frame for this project.

**MR. D. GLENN:** the contractor was in my office today and he is ready to start right now since the weather has been good. I can tell you what is going to happen. We will award the contract and get the performance bonds in and the certificates of insurance then winter is going to set in. So we are looking at sometime in early spring. This will be paid out of the sewer fund.

**MR. C. TUSCAN:** this will come out of the sewer fund and many of you know the borough instituted a surcharge on the sewage some years ago for projects like this. This will not effect any portion of the general fund.

**C. SPICUZZA/S. VOLPE TO AWARD THE CONTRACT TO S & E CONCRETE CREATIONS IN THE AMOUNT OF \$54,965 TO REPAIR THE SEWER DEFICIENCIES. MEMBERS VOTED APPROVAL, 6-0.**

**UTILITIES - J. CLEMENIC:** the Library Board has set their meetings for 2007 and they will be held on the second Thursday of every month here in Council Chambers.

**MR. T. NELIGH, PAT MEWS DRIVE:** can I ask a favor, can someone help me with all the dogs that come over to the playground behind my house and do their business.

**MR. C. TUSCAN:** are they stray dogs or are the owners with them.

**MR. T. NELIGH:** we know who they are. I see the people. It is our residents over there. Also, can you also get me a garbage can for the park. I have a real nice lady over there who lives on the other end and she cleans up the park and she does not know where to throw the garbage. I just found out that the garbage was raised from \$25 to \$36 a quarter.

**MR. C. TUSCAN:** a couple of meetings ago we put out the garbage collection for bid since we are at the end of our five year contract. There was only one bidder, Waste Management. The bid was based on the number of units and it was for a five year period. Unfortunately there was a raise in their bid. The bid increased eighty-nine percent from our current year.

**MR. T. NELIGH:** did you ask Monroeville.

**MR. C. TUSCAN:** Monroeville will not do anything except their town.

**MR. T. NELIGH:** why didn't you investigate buying a truck.

**MR. C. TUSCAN:** it would not have been feasible. You have the cost of labor and the biggest thing in garbage collection is what they charge to dump. Who owns the dump, Waste Management. We were hoping other garbage haulers would bid but it seems that Waste Management is buying all the other companies out.

**MRS. T. HICKMAN, AIRBRAKE AVE.:** with the raise in price in garbage collection I think we should demand a little better service from them also. Many times they leave a lot of thrash on the street and they just throw the cans anywhere.

**MR. C. TUSCAN:** in the contract it actually states how the cans have to be left. If you have that happen call over here as soon as possible, especially that day, and we will give them a call.

**MR. M. TRKULA:** are we doing anything to collect the delinquent garbage.

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**MR. C. TUSCAN:** we are using a third party collector. We have them collect anything over \$100, which is for one year.

**MR. M. TRKULA:** when you have these delinquent people, the borough eats that and you end up paying.

**MR. C. TUSCAN:** they go after them. They try to set up a payment plan with them. Now the ones that do not attempt to make any payments they report that to the credit bureau and they file a lien against them.

**MR. S. SHURGOT:** we get a yearly report on whose is in collections and a progress report. The first step is to take them to the Magistrate and if they don't pay you file a lien against them. We have to go after the highest ones first because there is a fee. This still doesn't mean you are going to get paid. There is an expense to do this and we don't want to spend a couple of hundred dollars just to collect a few dollars.

**SOLICITOR - G. EVASHAVIK:** we covered everything in the workshop.

**FINANCE - S. SHURGOT:** we adopted the budget and the tax ordinance at the special meeting.

**S. SHURGOT/L. FIASCO TO PAY ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 7-0.**

**BOROUGH PROPERTY - S. VOLPE:** we are going to have a meeting with the gentleman about the dumpster in the alley on Jan. 18<sup>th</sup>.

**RECREATION - L. FIASCO:** we are working on a calendar of events and will try to get it into the Wilmerding paper. We will be working with the people at the castle and try to coordinate with them on different events so that we don't duplicate the same thing.

**MR. S. VOLPE:** I forgot to ask Joe, does the Library Board want any money for this year.

**MR. J. CLEMENIC:** we put money in the budget for them.

**ZONING/PLANNING**

No report.

**MR. S. VOLPE:** for planning, you guys okayed the section of Russian Hill, just the bottom section to build on, I believe it is Howard Street.

**MR. D. GLENN:** I did give you a report on it. Basically, what the report is going to say is that you can build along Howard Street and you can utilize the area that is already excavated, but don't excavate any more. That is an unstable soil there and excavating the hillside you will cause the whole thing to move. You can build but you can't excavate any more area than what has already been excavated. There is enough area there to build a townhouse.

**MR. S. VOLPE:** then why can't we get something started there.

**PERSONNEL**

No report.

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**OLD BUSINESS**

None

**NEW BUSINESS**

**S. SHURGOT/C. SPICUZZA TO GET 1500 COPIES OF THE WINTER EDITION OF THE NEWSLETTER PRINTED SO THAT WE CAN MAIL THEM TO THE RESIDENTS. MEMBERS VOTED APPROVAL, 6-0**

**C. SPICUZZA/L. FIASCO TO HAVE SMV ASSOCIATES SUBMIT A PROPOSAL TO DO OUR BUILDING INSPECTION AND OCCUPANCY PERMITS.**

**MR. S. SHURGOT:** we discussed this before and he would have to excuse himself from any zoning issues.

**MR. G. EVASHAVIK:** I remember researching this and it can be done but there are certain limitations.

**MEMBERS VOTED APPROVAL, 6-0 WITH S. VOLPE ABSTAINING.**

**MR. S. SHURGOT:** we discussed in our budget workshops that John was going to send out the landlord agreements. Looking at Mike Snyder's report there was a lot of activity in December. Isn't there a deadline on collecting the occupancy license. How can they rent their property when they do not have a license.

**S. SHURGOT/S. VOLPE TO GIVE MIKE SNYDER FOUR EXTRA HOURS TO SIT DOWN WITH JOHN NALEVANKO AND SHOW HIM HOW TO SEND OUT AND COLLECT THE OCCUPANCY LICENSES. MEMBERS VOTED APPROVAL, 7-0.**

**MAYOR'S REMARKS**

**MR. D. POMPOSELLI:** I would like Council to check, between now and the next meeting, on why the police from North Versailles call a certain outfit to tow cars. I have been getting a lot of complaints on the way he handles things. In the meeting this afternoon I had learned that the father does not run the business any more but the son does. I would like to see if we can better the arrangements by giving the man some competition on towing. It is not only that but the way he treats the people. I also was told this afternoon that only people that violate have to worry about it. Everybody at some time might need a car towed, being in an accident, having a flat tire in the middle of the night or whatever. Sometimes they may not have the money to get their car out of the pound. For example, say that someone would need their work tools and their tools are in the car. He would not let them get their tools.

**MR. C. SPICUZZA:** you and me talked about this and I think we should entertain some proposals. If we can get the exact specifications on what needs to be done, like the size of the lot, how big of fence you would have to have and whatever other specifications there would be. I would be willing to look at giving him some competition.

**MRS. A. BRUCE, AIRBRAKE AVE.:** Steve said that you are going to be taking away the fifteen minute parking signs down in front of the insurance company. I think you should have fifteen minute signs in front of the post office. Nine times out of ten if you go to the post office you cannot park there because the people from the insurance agency are parked there all day long.

**MR. S. SHURGOT:** it wasn't enforced when we had fifteen minute parking so putting up new signs won't make a difference. I will take it to my committee and we will have a recommendation at the next meeting.

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**MAYOR D. POMPOSELLI:** if it is not enforced then we need to do something to the people who are supposed to enforce it. I told one police officer that I watch these cars parked there all day and why doesn't he tag them. He told me they have special privileges. Fifteen minute parking is fifteen parking. I told him why do you have a uniform on, then I walked away.

Meeting adjourned at 8:52 p.m.