

**BOROUGH OF WILMERDING
MINUTES OF THE JULY 10, 2007 REGULAR MEETING OF COUNCIL**

The meeting was called to order at 7:32 p.m. by Vice President S. Shurgot.

The Pledge of Allegiance was led by the Vice President.

ROLL CALL: G. JAKUB, present; L. FIASCO, present; C. SPICUZZA, absent; S. VOLPE, present; S. SHURGOT, present; C. TUSCAN, absent. Mayor D. POMPOSELLI was also present.

L. FIASCO / G. JAKUB TO ACCEPT THE MINUTES OF THE JULY 5TH AND JULY 26TH MEETINGS AS PRESENTED. MEMBERS VOTED APPROVAL, 4-0.

PETITIONS & MEMORIALS

MR. B. SINDORF, 18 MORNINGSIDE AVE.: the houses next to me is in bad shape. The grass and weeds are overgrown, the gutters are off the house and they are pulling the wires down.

MR. S. SHURGOT: I believe that this property is owned by the three taxing bodies. What can we do.

MR. G. EVASHAVIK: first you would have to do a title search to make sure who owns the property before you do anything.

L. FIASCO / S. VOLPE TO HAVE THE SOLICITOR PERFORM A TITLE SEARCH FOR THE PROPERTY AT 10 MORNINGSIDE AND ALSO AT 38 SPRAGUE STREET.

MR. J. TOMASEVICH, 74 MORNINGSIDE AVE.: I believe that my life is in jeopardy. I have a complaint with Officer Mark Slivka. I had leaves fall in my garden and I gathered them together and put a match to it. Officer Slivka came up and told me to put it out and asked me for my identification and he wrote everything down from my drivers license. I used to turn around on the street but the car at 69 Morningside block everything and I cannot turn around there. Officer Slivka told me that I could not use the street as a turnaround and that I had to go to the end of the street to turn around and that I was not to park there. He gave me two citations and told me not to turn there anymore. He told me that he will come up anytime. I am scared of this man and I believe that my life is in jeopardy and that he wants to kill me.

MR. S. SHURGOT: have you talked to the Chief about this.

CHIEF J. COMUNALE: let him explain the rest of his suspicions.

MR. J. TOMASEVICH: I have a conflict with the Judge and I believe that there is a state wide conspiracy against me, I cannot get justice anywhere and I never get a good judge assigned to my case. I have property in Hempfield Township and the grass was high and the Judge put a judgement against me and my wife because it wasn't cut. Each judgement was in the amount of \$22,500 for a total of \$45,000.

MR. S. SHURGOT: I understand your predicament but we have no concerns on what happened in Westmoreland County.

MR. J. TOMASEVICH: I am trying to explain to you that it is all connected. There is a conspiracy against me that has been going on for thirty-four years. I fear Mark Slivka and I feel that he is going to murder me.

**BOROUGH OF WILMERDING
MINUTES OF THE JULY 10, 2007 REGULAR MEETING OF COUNCIL**

MR. C. SPICUZZA ENTERED COUNCIL CHAMBERS AT 7:45 P.M. AND WAS RECOGNIZED BY THE CHAIR .

MR. T. NELIGH, 108 PAT MEWS DR.: there is a vacant lot on Watkins Avenue, where the old Serbian Club used to be, and the weeds are six to nine feet high. I called the Code Enforcer and he told me that there is nothing he could do. The groundhogs coming from there made holes under my porch. The weeds over there are higher than a car. There are a lot of kids over there and I am afraid that one of these groundhogs is going to bite the kids. There is also a building up the street that Oscar Lester owns and the porch is ready to fall down. The police came to my door and put a notice on it telling me that my grass was high and that I needed to cut it. All that I am asking for is some help for us over there.

MR. S. SHURGOT: we can cite people forever but that won't get the weeds cut. If go and cut one property then someone else would want theirs cut.

MR. T. NELIGH: I don't want you to cut it.

MR. S. SHURGOT: we can call the Health Department to come out.

MR. T. NELIGH: that is on the main corner. He has enough grass to cut. He doesn't have the grass cut by the creek bank yet.

MR. S. SHURGOT: we hires some summer workers to help him.

MR. T. NELIGH: one day he was sweeping and shoveling under the bridge. That belongs to the County.

MR. J. GAGETTA, WILMERDING RENEWED: I just would like to give you an update on the castle. We are starting to get a lot of compliments on the things that we have done. All of the product and the labor was donated by the Bidwell Training Center. There was some graffiti on our building and we took care of it right away. We are working with Triangle Tech to light up King's Way. They have made one prototype lamp and they are going to make six more. It is a medieval design and when it is completed it will make it safe to walk there at night.

MR. M. TRKULA, MIDDLE AVE.: I have a question concerning my evaluation. It was supposed to be done in June and nothing has been done yet.

MR. S. SHURGOT: we do not discuss personnel matters at a public meeting. We will set up a meeting with you.

CORRESPONDENCE

1. we have an ordinance approving the adoption of an intergovernmental agreement of cooperation establishing a joint recreation committee with North Versailles Township, East McKeesport, Wall and Wilmerding Boroughs and the East Allegheny School District.

MR. S. SHURGOT: at this time we will conduct a public hearing on this ordinance. Does anyone have any comments on the ordinance.

MR. M. TRKULA: does the borough have to put any money into this.

MR. S. SHURGOT: no.

**BOROUGH OF WILMERDING
MINUTES OF THE JULY 10, 2007 REGULAR MEETING OF COUNCIL**

MR. C. SPICUZZA: will we still hold our annual events.

MR. L. FIASCO: yes. They are looking to develop an area to serve everyone in the school district.

MR. S. SHURGOT: as I understand it, they are looking for land off of Route 48 to put in some fields and a park.

MR. L. FIASCO: yes.

MR. C. TUSCAN ENTERED COUNCIL CHAMBERS AT 7:48 P.M. AND WAS RECOGNIZED BY THE CHAIR.

L. FIASCO / C. SPICUZZA TO ADOPT THE ORDINANCE APPROVING THE ADOPTION OF AN INTERGOVERNMENTAL AGREEMENT OF COOPERATION ESTABLISHING A JOINT RECREATION COMMITTEE. MEMBERS VOTED APPROVAL, 6-0.

MR. C. TUSCAN ASSUMED THE CHAIR POSITION AT THIS TIME.

2. we have a resolution tonight regarding cable franchise negotiations with Verizon. This is being done through COG at no cost to the borough.

MR. C. TUSCAN: initially they allocated \$24,000 towards this but the bid came in a lot higher and they received some extra funds to do it.

MR. S. SHURGOT: there is going to be a meeting with the law firm, Cohen Law Group, that is going to be negotiating with Verizon on Tuesday July 24th at 7 pm at the Monroeville Municipal Building. Verizon is going to be coming in and we need to negotiate a franchise fee with them that will benefit the borough.

L. FIASCO / G. JAKUB TO ADOPT THE RESOLUTION AUTHORIZING PARTICIPATION IN THE NEGOTIATIONS WITH VERIZON. MEMBERS VOTED APPROVAL, 6-0.

COUNCIL TOOK A RECESS AT 7:55 P.M. TO DISCUSS SOME PERSONNEL ISSUES.

COUNCIL RESUMED THE MEETING AT 8:22 P.M.

MR. C. TUSCAN: Mr. Spicuzza had to leave the meeting to get back to work.

COMMITTEE REPORTS

PUBLIC SAFETY - S. SHURGOT: the only report I have is from the ambulance and they responded to 42 calls in June. The Chief had to step out for a minute and he will be back to give his report.

MR. C. TUSCAN: the bike patrol seems to be working out and we are hearing some good remarks from the people.

CODE ENFORCEMENT - J. NALEVANKO: everyone has received my report. Are there any questions.

MR. L. FIASCO: on your report it says Building Inspector/Code Enforcement. Is this a combined report from you and Steve.

**BOROUGH OF WILMERDING
MINUTES OF THE JULY 10, 2007 REGULAR MEETING OF COUNCIL**

MR. J. NALEVANKO: no, it is an old form that Mike used.

MR. G. JAKUB: the doctor's office on Westinghouse Avenue is putting out their trash on Wednesday. I do not know what is in there and I am concerned that some kids may get into it.

MR. J. NALEVANKO: I know they have late office hours on Wednesday or Thursday. I will go talk with them to make sure that what ever is in the trash is safe.

PUBLIC WORKS - G. JAKUB: we hired our summer workers and I wanted to know if we can get them some green shirts for safety.

MR. C. TUSCAN: you can probably do that as a committee.

G. JAKUB / S. VOLPE TO PURCHASE SHIRTS FOR OUR SUMMER WORKERS. MEMBERS VOTED APPROVAL, 5-0.

MR. S. SHURGOT: I have one other thing under public safety. The police were checking the doors, the front door was open and for some reason the other door out here was not locked.

MR. C. TUSCAN: I don't think that the door downstairs was ever locked.

COG REPORT - C. TUSCAN: there was no meeting in June.

ENGINEER'S REPORT - D. GLENN: the CD 33 bleacher project bids were opened at COG on June 28th. Only one bid was received and that was from Plavchak Construction in the amount of \$24,210. The CD grant for this project was \$20,000. At this time Council could either contribute \$4,210 to fully fund this project or request that the COG re-advertise the project. Plavchak is a good contractor and qualified to do the work if you decided to award this bid.

S. SHURGOT / L. FIASCO TO HAVE COG RE-ADVERTISE THIS PROJECT. MEMBERS VOTED APPROVAL, 5-0.

MR. D. GLENN: the contractor, Tony Pampena, who renovated the Airbrake Park in 2004 was notified of the deteriorated rubber surface under the swings. The warranty has expired and he gave us an estimate of \$1,050 for the repairs.

S. SHURGOT / S. VOLPE TO HAVE TONY PAMPENA REPAIR THE RUBBER SURFACE AT THE AIRBRAKE AVENUE PLAYGROUND FOR \$1,050. MEMBERS VOTED APPROVAL, 5-0.

MR. C. TUSCAN: the Chief has returned and he will give his report now.

CHIEF J. COMUNALE: we had 267 general complaints, fifty-eight parking citations and two parking tickets were issued. I also met with Mr. Tomasevich on his complaints and I will have an answer for him before he goes to court. I also talked to the Officer in Charge on second shift and it was clarified that any kids got after the curfew will be taken to the station and not home. Also, we did make one arrest on Thursday and another one is forthcoming on the graffiti that occurred at the castle and also in the township.

**BOROUGH OF WILMERDING
MINUTES OF THE JULY 10, 2007 REGULAR MEETING OF COUNCIL**

UTILITIES - C. TUSCAN: Greg, I gave your dad the new contract from Comcast, which is the original, and we need to get that back. Also, Larry will be the new chairman of utilities.

SOLICITOR - G. EVASHAVIK: we discussed this earlier in the workshop and it deals with the consent order from the DEP, the Allegheny County Health Department and ALCOSAN. This resolution gives the borough authority to execute an amendment to the original consent agreement so that ALCOSAN can perform the required monitoring on behalf of the borough. This resolution is for the First Amendment to the Consent Order and Agreement.

L. FIASCO / S. SHURGOT TO ADOPT THE RESOLUTION AUTHORIZING THE BOROUGH TO ENTER INTO THE FIRST AMENDMENT TO THE CONSENT ORDER AND AGREEMENT. MEMBERS VOTED APPROVAL, 5-0.

MR. G. EVASHAVIK: at the request of Council we have prepared an ordinance for you to take a look at. The ordinance mandates that a zoning certificate be obtained prior to the sale, occupancy or transfer of real estate. The draft is self explanatory and it is there for your review and consideration if you want to make any changes.

MR. C. TUSCAN: can we make changes after the ordinance is advertised.

MR. G. EVASHAVIK: you can make minor changes. Any changes that are substantial to the ordinance then you would have to re-advertise it. You have a building permit ordinance and a occupancy ordinance and we want to make sure that there is no gap and this ordinance covers it. It relates to all circumstances.

FINANCE - S. SHURGOT: letters were sent out to the people who are delinquent in their garbage. Thirty-one letters were sent out and eleven people responded for a thirty-three percent return rate. Some of them paid off their balance and others have sent up payment arrangements. If you notice in our budget, the second line item under receipts is over budget, which is a plus for us.

S. SHURGOT / L. FIASCO TO PAY ALL THE APPROVE BILLS. MEMBERS VOTED APPROVAL, 5-0.

BOROUGH PROPERTY - S. VOLPE: no report.

RECREATION - L. FIASCO: our next meeting will be held in the park as part of National Night Out. The meeting will start at 6:30 p.m. on August 7th.

L. FIASCO / G. JAKUB TO ADVERTISE THE MEETING CHANGE TO 6:30 P.M. TO BE HELD AT THE PARK. MEMBERS VOTED APPROVAL, 5-0

L. FIASCO / S. SHURGOT TO DONATE \$400 TO THE RECREATION COMMITTEE FOR THE FESTIVITIES. MEMBERS VOTED APPROVAL, 5-0.

PERSONNEL - G. JAKUB: we are trying to set up an interview with the candidates for the temporary foreman's position. We will be meeting with the Fire Department, along with Public Safety, on Tuesday July 17th at 7 p.m.

MR. S. VOLPE: the members of the fire department are employees of the borough, correct.

MR. G. JAKUB: yes.

MR. S. VOLPE: can we send them for a drug test.

**BOROUGH OF WILMERDING
MINUTES OF THE JULY 10, 2007 REGULAR MEETING OF COUNCIL**

MR. L. FIASCO: they are volunteers.

MR. S. SHURGOT: but they are driving borough equipment.

MR. G. EVASHAVIK: do you do it now.

MR. S. SHURGOT: we do it for our new hires, the part time workers.

OLD BUSINESS

MR. G. JAKUB: we are going to get the back hoe checked.

MR. S. VOLPE: Beckwith will bring their service truck down here and do the maintenance on it.

MAYOR'S REMARKS - D. POMPOSELLI: I am satisfied with the police department but I am dissatisfied with a lot of other stuff. When they repaired the Station Street steps, did they do it by the engineer's specifications. They did a good job but in my opinion they did not finish the job. There is still a lot of work that needs to be done. Also, on Orient Avenue the grass is growing over on to the road and you can't see cars coming at you. I also got a call from the YMCA and they told me that Council was going to shut the YMCA down and that they have to cut the grass. I asked them if a Councilman told them this, they said no. I asked them if they got a letter from the Borough on this, and they said no. I had some kids come up to see me and they told me that the Y chased them off the field. They are not supposed to do this.

MR. L. FIASCO: they do use the whole field but they are supposed to let our residents use it to. We will talk to them and get it straightened out. Do you know who chased them off.

MAYOR D. POMPOSELLI: they didn't know who it was. They are also parking on the sidewalk. Also, the kids are still sitting on King's Way and it is not safe to walk up there at night. It is getting out of hand.

NEW BUSINESS

MR. C. TUSCAN: I received a letter from the PA. Housing Finance Agency about affordable housing at 210 Marguerite and they are asking for comments on this. I will call them and find out more on this.

MR. G. JAKUB: I was contacted by someone from another municipality about collecting delinquents. If you really want to get drastic there is a company in Philadelphia that can put a lien against the persons check book. We may want to contact them to find out more information.

S. SHURGOT / L. FIASCO TO ADVERTISE FOR A VACANCY BOARD MEETING AND ANY OTHER BUSINESS FOR TUESDAY JULY 17TH AT 8 P.M. MEMBERS VOTED APPROVAL, 5-0.

MEETING ADJOURNED AT 9:00 P.M.