

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 1, 2008 REGULAR MEETING OF COUNCIL

The meeting was called to order by President S. Shurgot at 7:45 p.m.

MR. S. SHURGOT: Council met in Executive Session prior to the start of the meeting to discuss some personnel issues.

The Pledge of Allegiance was led by the President.

ROLL CALL: M. TRKULA, present; C. SPICUZZA, present; K. PETERSON, present; G. JAKUB, present; S. VOLPE, present; C. TUSCAN, present; S. SHURGOT, present.
Mayor D. POMPOSELLI was also present.

C. SPICUZZA / K. PETERSON TO ACCEPT THE MINUTES OF THE MARCH 4TH MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 7-0.

PETITIONS & MEMORIALS

MR. P. LIVERATTI, AIRBRAKE AVE.: what is going on with that house on Middle Avenue. There was an issue concerning condemnation. Has that been resolved. It belongs to Ronald Reagan.

MR. S. SHURGOT: Mr. Reagan has been working with government officials to get some grants to fix up his house.

MR. J. NALEVANKO: Councilman Martoni's office called me and asked us to hold off another ninety days to see if he gets the money to work on it. It is a row house and you cannot tear it down. If you look at it the porch needs repaired and there are some mortar problems in the back. Hopefully within the next ninety days the money comes through.

MR. P. LIVERATTI: what about 711 Middle Avenue or Airbrake.

MR. J. NALEVANKO: we are working on that one. The kids are breaking out the windows.

CORRESPONDENCE

1. received a request for a donation from the East Allegheny Competition Cheerleading Team.

C. TUSCAN / S. VOLPE TO TAKE OUT A QUARTER PAGE AD FOR \$50.00. MEMBERS VOTED APPROVAL, 7-0.

2. the Police Pension CD is up for renewal on April 10th.

C. TUSCAN / M. TRKULA TO TABLE THIS TO SEE IF WE CAN FIND A BETTER RATE. MEMBERS VOTED APPROVAL, 7-0.

3. received a request for a donation from the George Westinghouse Days Festival. The festival will be held from June 4th to June 7th.

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 1, 2008 REGULAR MEETING OF COUNCIL

C. SPICUZZA / K. PETERSON TO DONATE \$500 TO THE FESTIVAL COMMITTEE. MEMBERS VOTED APPROVAL, 7-0.

4. received an agreement from the Steel Valley COG concerning their street sweeping program.

C. SPICUZZA / S. VOLPE TO PARTICIPATE IN THEIR STREET SWEEPING PROGRAM. MEMBERS VOTED APPROVAL, 7-0.

COMMITTEE REPORTS

PUBLIC SAFETY - C. TUSCAN: received the Fire Department report and they would like us to accept three new members to the department. They are Brian Kellerman, Frank McCurry and Thomas Noll.

C. TUSCAN / C. SPICUZZA TO ACCEPT THE THREE NEW MEMBERS TO THE FIRE DEPARTMENT. MEMBERS VOTED APPROVAL, 7-0.

MR. C. TUSCAN: the fire department is also requesting permission to attend any parade within a ten mile radius.

MR. M. TRKULA: a few of the firemen approached me about the letter they mailed out to some of the firemen who haven't answered calls in one, two, three, four and five years and have yet to get their monitors and they wanted to know what the next step is. They have monitors they have uniforms.

MR. S. SHURGOT: I think the last time we referred it to Chief Comunale and he tried to contact them and it if didn't work then we would take them to the Magistrate.

MR. C. TUSCAN: Chief, are you able to help us out on that.

CHIEF J. COMUNALE: yes.

MR. C. TUSCAN: I will get you a list. Chief, you can give us your report at this time.

CHIEF J. COMUNALE: for the month of March we answered 222 calls, there were 27 citations issued and 6 parking tickets. There were no big incidents for March. I received a letter concerning crime watch and why didn't an officer attend the last crime watch meeting. That was my fault, I thought the officer would go since she had her baby already. She will be there from now on and that won't happen again.

MR. S. SHURGOT: just to let some of the residents know, that at the last crime watch meeting in January there were only five of us that attended the meeting. In March I thought I scheduled the meeting for the 27th but it was on the 20th. The newsletter we sent out said it was on the 20th and only 2 residents showed up. A question raised by one of our citizens in a letter asked, do we really want to have a crime watch and keep investing time when nobody is showing any interest to come to the meeting. Greg Jakub and myself are the temporary chairpersons until we can get someone to take over. We will try to schedule one more meeting and if it doesn't go I don't know what you can suggest.

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 1, 2008 REGULAR MEETING OF COUNCIL

CHIEF J. COMUNALE: the same thing happened in the Township after we started ours but ours lasted a little longer. I asked the officer if she wanted to keep doing it and she does. I understand that you want to implement the bike patrol again. The same type of scenario as last year.

MR. S. SHURGOT: yes. The other thing is that we talked about putting camera's up. Can you get us some prices on that.

CHIEF J. COMUNALE: I actually worked something up but I don't have it with me tonight.

MR. S. SHURGOT: if you can give that to our Property Committee Chairman, Steve Volpe.

CODE ENFORCEMENT - J. NALEVANKO: everyone has received a copy of my report and I will answer any questions that you may have. Any concerns of the citizens now that the weather is changing and the grass is growing and the weeds, it is going to take cooperation from everyone to make sure our eyes and ears are open. If you do have any problems make sure to contact me here at the borough building and I will address those problems accordingly.

PUBLIC WORKS - G. JAKUB: I can be thankful that winter is just about over. We made it through the winter we some band aids, some glue and some strings holding our equipment together. We are waiting now for any kind of response from Rep. Costa's or Sen. Logan's office for any potential money coming in for new equipment. Public Works and Property are going to have to meet and decide on what we are going to do with the pick up truck because we have no bed underneath the bed liner right now. We have a concern that I am going to turn over to our Solicitor. There is a piece of property at the corner of Card and Brown, it is an alley way, and I would like to turn it over to our Solicitor to verify if it is a street that exists or if it is a paper alley. There was some concern over what property this is or if it is borough property in the way of being a street.

MR. G. EVASHAVIK: I will work with the Engineer to come to some conclusion and I will report back to Council.

MR. S. VOLPE: Don looked at that before and said that it was a public road because it has a pole back there with a street light.

MR. G. JAKUB: we have one concern, and I will give you a call Susan, we had a water break about two weeks ago and we were informed by W.P.J.W.A. that there is supposedly a relief emergency regulator in North Versailles that would come on in the event we had an occurrence, like what we had here where this side of town had no water, that is supposedly to kick into effect and supply our hydrants and whatever else. From 7:30 that night to roughly 5 am, because I was out here that whole time, we had no water and every hydrant was dry. I had the Fire Chief with me all night and I also had a crew from the Fire Department here in case there was an emergency. Mr. Shurgot was contacted, as far as Emergency Management Coordinator, but I need to look into this because if this is something we need to worry about I can't have hydrants sitting dry in case of a water break.

MR. S. SHURGOT: we need to contact W.P.J.W.A. to see what they are doing about the problem.

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 1, 2008 REGULAR MEETING OF COUNCIL

MR. G. JAKUB: they told me that it was supposed to be in effect, that this existed.

MR. M. TRKULA: whatever is up in Dixon, when they went up to switch it, it was also broke. Their two options were to fix that or fix the water break. They fixed our water break and have since fixed that and everything is fine right now. So in the event of that happening again, we will have water. They are coming to replace all these lines.

COG REPORT - C. TUSCAN: no report.

ENGINEER'S REPORT - S. GLENN: we have not had any response from our latest submission to PennDOT for the Safe Route to School Project, but we are still hoping to advertise this spring.

The Phase 2 Significant Deficiency Repair Project is complete except for one site, Patton Street, which will be done this spring.

An inspection was made at 652 Middle Avenue with the Code Enforcement Officer and everyone has a copy of the report that was submitted to John.

The property owner at 138 Card Avenue was sent a letter informing him that he needs to remove the dirt that slid, regrade and reseed the slope as soon as it is dry enough to do so. As of this date no work has been performed.

A registered letter was sent to 710 Middle Avenue informing her that the sidewalk in front of her house is still in need of repair. Also, raw sewage is still seeping through the retaining wall along the front of her property. Failure to correct this problem will result in contacting the ACHD.

We are preparing to advertise for Phase 3 of your Significant Deficiency Sewer Repair Project. Bids will be opened approximately in May and be tabulated for award at your June meeting.

UTILITIES - M. TRKULA: we need to meet with the Comcast representative. As we discussed earlier we could meet with him at our next workshop.

SOLICITOR - G. EVASHAVIK: we are working on correcting two properties that belong to the borough that are listed as taxable. It is more complicated than anticipated and it should be completed next month.

The Welsh Alley storm sewer easement that we talked about last month. I located my file and it dates back to 2005. We had prepared nineteen individual easement agreements with attached deeds, which we were going to have all the property owners that abut this private alley sign to authorize the borough to go onto private property to do these repairs. I don't remember what happened in 2005 but our efforts were stalled. I asked Joe to locate the original documents and none of them were ever signed. The next problem was that some of these properties have sold since then. I asked Joe to give me the properties that have been sold and the current owners name. He has done that and there were five out of the nineteen and we would have to prepare new easement agreements for them so that all nineteen are up to date. I do not know how you want to handle this to get those documents executed by these property owners.

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 1, 2008 REGULAR MEETING OF COUNCIL

MR. C. TUSCAN: it was contingent on the funding. We did not have all the signatures in time and they took back the money.

MR. G. JAKUB: I met with a couple of those people and they told me that no one brought anything up to them to sign.

MR. C. TUSCAN: as I said before, as we were preparing the agreements they pulled back the grant and therefore we had nothing to take up to them.

MR. G. EVASHAVIK: my question is, do you want me to continue with this.

MR. C. TUSCAN: I think we should go forward in the event we do secure some funding then everything will be in place and they won't take away the funding.

MR. G. EVASHAVIK: I will prepare those and turn them over to Joe and Council will have to decide how you want to take these documents to the property owners and have them execute the agreements.

The last thing I have, there was a question raised at the last meeting about possible regulation of storing RV's, motor homes, boats and trailers on private property in residential areas. I did some research on this and I couldn't find any ordinances in the limited search that I did to see if anyone in the surrounding areas has such an ordinance. I was focused on the legality on that type of prohibition and regulation. The way that type of situation would be regulated, either you handle something like that through zoning or through the regulation of nuisances. For example, if someone would have trailers, boats or RV's on their property that is in poor condition or presents a dangerous condition and attracts rodents, we would have the ability to prohibit that and cite someone in that situation. In the situation where they are in good shape and someone is just storing them in the off season, the question is can we regulate and prohibit that under our zoning ordinance. There is case law and it is clear that we cannot prohibit that situation based on appearance. You would need a valid reason under the zoning laws for us to do that. If any of you know of any surrounding communities that has such an ordinance I would be happy to review it.

MR. C. SPICUZZA: you are saying a nuisance can be the obstructing pathways or traffic even with them being stored on private property.

MR. G. EVASHAVIK: what you can always do is regulate the location. We are always entitled to establish set back requirements. You can say that you cannot have anything within five, ten or twenty feet of the front, side or rear yards. We can always enact those types of regulations which simply regulate the location on the property. I don't think we can ever prohibit someone from having something in their driveway. If they have a valid inspection on a vehicle we cannot prohibit that.

MR. S. SHURGOT: say that the vehicle is parked on a paper alley and there is an emergency and it blocks the egress of the residents. Would that be considered a hazard.

MR. G. EVASHAVIK: that would be a private property dispute. It is probably an actionable situation between the private property owners. If it is on a private alley then it is not a public interest to us unless it is an access the borough has to use for emergency vehicles.

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 1, 2008 REGULAR MEETING OF COUNCIL

FINANCE - C. TUSCAN:

C. TUSCAN / M. TRKULA TO APPROVE ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 6-0-1 WITH S. VOLPE ABSTAINING.

MR. S. SHURGOT: a lot of people have been calling the office and a few Council members at home about a letter they received from Keystone Municipal Collections. What happened was that school district and East McKeesport appointed Keystone Municipal Collections as their delinquent and current wage tax collector. We were never informed of the change and what is happening is that when you get your wage tax statement from PA. Municipal Service it will show .5%. You will have to pay .5% to PA. Municipal Service and .5% to Keystone Municipal Collections. You are going to have to make your check out to two different places.

BOROUGH PROPERTY - S. VOLPE: it was brought up at the workshop that we are going to move two stone benches from the park and put them over at the triangle at Middle and Airbrake. The benches that are there now have to be removed because it is a safety issue.

RECREATION - K. PETERSON: we had our Easter Egg Hunt and we had to move it inside because of the weather. We had about eighty children and probably just as many adults. I would like to thank the Fire Department, the Castle, Anna Marie Tucker, Yvonne Corletti and Linda Travisano. It went very, very well. We are thinking about doing something for the summer but because of the George Westinghouse Days that takes up most of the calendar.

MR. C. TUSCAN: are you thinking about having the movies in the park. It seemed to be very popular.

MS. K. PETERSON: we talked about that and we are looking at maybe using the school to try and keep the kids together. We are still discussing that.

PLANNING - K. PETERSON: our next meeting is scheduled for April 30th.

PERSONNEL - G. JAKUB: for some reason we failed to have the laborer's cost of living increase retroactive to the first of the year.

G. JAKUB / C. TUSCAN TO HAVE THE LABORER'S COST OF LIVING INCREASE RETROACTIVE TO JAN. 1, 2008. MEMBERS VOTED APPROVAL 6-0-1 WITH M. TRKULA ABSTAINING.

MR. G. JAKUB: the Personnel Committee did a review with the Borough Secretary and we would like to make a recommendation that there also be a cost of living increase for that position. It will also be retroactive to the first of the year.

G. JAKUB / C. TUSCAN TO INCREASE THE BOROUGH SECRETARY'S SALARY THREE PERCENT RETROACTIVE TO JAN. 1, 2008. MEMBERS VOTED APPROVAL, 7-0.

MR. G. JAKUB: based on the cost of the increase in benefits, Council has agreed that the secretary would have to pay the difference for the family benefits package. We are giving a thirty day grace period to see if it would be less expensive to have for the spouse's employer or to pay the difference.

BOROUGH OF WILMERDING
MINUTES OF THE APRIL 1, 2008 REGULAR MEETING OF COUNCIL

G. JAKUB / C. SPICUZZA TO HAVE THE SECRETARY PAY THE DIFFERENCE IN FAMILY COVERAGE WITH A THIRTY DAY GRACE PERIOD TO SEE IF HIS SPOUSE'S COVERAGE IS LESS EXPENSIVE. MEMBERS VOTED APPROVAL 6-1 WITH S. SHURGOT OPPOSED.

OLD BUSINESS

MR. M. TRKULA: I have been asking for employee time sheets for two months and I have yet to get one.

MR. G. JAKUB: you mean all employees time sheets.

MR. M. TRKULA: yes, except John, I get one from him.

MR. G. JAKUB: the parking lot scenario with the gates or carts that we were looking at, I narrowed it down to a couple of potential things, but the problem is with the opening size we either need two gates, and I don't know how we would get them to open or close. I don't know if there is a an easier scenario of renting spaces, like they used to. It is still a work in progress.

MR. S. VOLPE: I have a question on the health insurance. If we go with a different carrier and it is cheaper, would the old coverage still be in effect.

MR. S. SHURGOT: unless we change it.

MR. G. EVASHAVIK: from the motion I heard it is the policy that was changed based on the cost. If it is cheaper then Council would have to change the benefit package again.

MR. S. VOLPE: I thought we were going on just the cost and if it was cheaper the benefits would stay the same.

MR. S. SHURGOT: we would have to change it because the motion changed the benefits.

NEW BUSINESS

MR. S. SHURGOT: I thought we voted to participate in the Earth Day Activities with the clean up that we have scheduled for April 19th and 20th.

K. PETERSON / C. SPICUZZA TO PARTICIPATE IN EARTH DAY WITH OUR SCHEDULED CLEAN UP. MEMBERS VOTED APPROVAL, 7-0.

MAYOR'S REMARKS

MR. D. POMPOSELLI: Council is doing a good job and the people behind them are doing a good job. Keep it up.

Meeting adjourned at 8:25 p.m.