

**BOROUGH OF WILMERDING**  
**MINUTES OF THE MARCH 4, 2008 REGULAR MEETING OF COUNCIL**

The meeting was called to order at 7:35 p.m. by President S. Shurgot.

The Pledge of Allegiance was led by the President.

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

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 / M. TRKULA TO ACCEPT THE MINUTES OF THE FEB. 5, 2008 MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 7-0.

PETITIONS & MEMORIALS

PASTOR JIM CAPETS: we have a church that has been here in Wilmerding for about a year and we meet in the Castle. What I need is to put up some signage that shows where we are located. We would like to put one up at the end of the bridge and also on Ice Plant Hill and we need to know what we have to do to get those signs up. Right now we would like to put up temporary banners and once our location is solidified we would put something permanent up.

MR. D. GILLILAND: I believe that is County property and you would have to get their permission.

MR. S. VOLPE: what you would have to do is have some type of sketch of what you are going to put up and what it is going to be made of.

PASTOR CAPETS: we do have a rough draft. We were not sure if there was some type of code on what type of material it had to be.

MR. S. SHURGOT: I believe that both locations are County property and Dave, our Engineer, will be happy to give you the contact numbers.

PASTOR CAPETS: are there other locations throughout the borough that you think might also be a good location for a sign.

MR. S. SHURGOT: I think those are the two best locations.

MR. T. FRYDRYCH, WELSH AVE.: the alley behind my property, years ago there use to be signs in the alley, local deliveries only, ten mile speed limit and one way signs, and they are no longer there. There are some heavy trucks coming through that alley and they are ruining the sewers. Is there anything that can be done about getting the signs back.

MR. S. SHURGOT: we can replace those signs. If you want to meet with Greg Jakub after the meeting and tell him what the signs are.

MR. T. FRYDRYCH: did Council ever figure out what is going on with the sewers after two years.

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MR. S. SHURGOT: when Mr. Tylka was on Council he tried to get all the residents up there to sign a wavier to allow us on their property to repair the sewers.

MR. T. FRYDRYCH: no one ever came up there and canvassed the residents.

MR. C. TUSCAN: we lost the grant for that.

MR. T. FRYDRYCH: I beg to differ on that. We were here in the middle of June and the grant was good until the December of that year.

MR. C. TUSCAN: they pulled the grant back before that. They told us that they would give us time to get the signatures. They told me that if we did not have everything in hand within two weeks then we would lose the grant.

MR. T. FRYDRYCH: those sewers are caved in up there and the water is going somewhere. Back in the early 1900's, down at the gas company, there are pictures that show a slide there. If that happens again there is going to be a lot of properties up there that are going to be affected.

MR. S. SHURGOT: Dave, we are responsible for the main line and the residents are responsible for the laterals. If there is a problem with the main line we can take care of that.

MR. D. GILLILAND: that is a private alley and legally we cannot do anything up there until we get authorizations from the property owners.

MR. C. TUSCAN: if we still have the documents can we get everyone to sign off on them in the event we do get funding to do the repairs.

MR. T. FRYDRYCH: the borough handled that sewer for eighty years and all of a sudden no one knows who's it is or who takes care of it. They always cleaned them and repaired them.

MR. D. GILLILAND: the grant applications are due in May and we can put it in for CD35.

MR. C. TUSCAN: Don made a ruling, and I don't know what he based the ruling on, but can you check on that to see if that is proper and for years the borough maintained it.

MR. M. TRKULA: we did have the vactor truck up there about a year ago.

MR. G. EVASHAVIK: it is a private alley and therefore the maintenance of the alley is not the responsibility of the borough and that includes the sewage. You are telling me that history shows that the borough has gone on private property and maintained the sewers but never officially accepted them.

MR. T. FRYDRYCH: are there any documents around on who put the sewers in.

MR. D. GILLILAND: they were probably put in when the houses were built by the Airbrake.

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MR. T. FRYDRYCH: they were put in after the houses were built. There was an agreement with the property owners who gave them permission to go on their property.

C. SPICUZZA / K. PETERSON TO HAVE THE ENGINEER AND SOLICITOR WORK TOGETHER TO GET A LETTER OUT TO ALL THE RESIDENTS AND TO APPLY FOR EMERGENCY FUNDING TO REPAIR THE SEWERS. MEMBERS VOTED APPROVAL, 7-0.

MR. T. FRYDRYCH: do we have an animal control officer. We are having a big problem up there with animals, specifically cats. They are getting into the garbage and it is scattered everywhere.

MR. S. SHURGOT: unfortunately there is nothing we can do about cats.

MR. T. FRYDRYCH: the problem is that some of the residents up there are not putting their trash in garbage cans but in plastic bags and in the morning the trash is everywhere.

MR. S. SHURGOT: John would have to address that problem.

MR. T. FRYDRYCH: I talked to him already. Also, snow removal on sidewalks, is anybody enforcing it.

MR. J. NALEVANKO: I am. We send a letter out telling them it has to be cleaned within 24 hours after the last snowfall.

MR. J. TOMASEVICH, MORNINGSIDE AVE.: I would like to clarify something here. I received a letter in the mail signed by John Nalevanko. I am the property owner at 74 Morningside Avenue. He believes that there is somebody there renting the house, that is not true, the house is vacant. I was remodeling the house and I had somebody put poison in the house.

MR. S. SHURGOT: do you have a building permit to do the remodeling.

MR. J. TOMASEVICH: I have the permit. I just want to clarify that there is nobody there. It says that I have to pay the fee for renting the house and this is the second and final notice. I was intending to occupy the house myself until poison was spread there. I was so sick that I went to hospital and they concluded that I have serious heart problems, that was a month ago. I haven't been inside the house since. Does anyone know who I should contact, if possible, to detoxify that.

MR. S. SHURGOT: you should contact the Allegheny County Health Department.

MR. J. TOMASEVICH: I have contacted the North Versailles Police Department, however they took it very lightly and nobody took any action. The house has been broken into twice. The first time I had spare copper there and that was taken. The second time they cut the old copper out. I then called the police department. I had an officer in the house and his name was Kelly, a wonderful police officer. The second time I asked for him and I couldn't get him, he was not there, and I said to send any officer that was available. That was my biggest mistake. The officer they sent told me that I could kill you because I think you are intruding, so you stay out. Shortly after that two guys, civilians, came in. The next day I went in and I got so sick that I thought I was a dead man. I am still not functioning the same way. Fingerprints were everywhere and the interior of the house was destroyed. They put graffiti

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on doors and everywhere. It is unbelievable on what they did. I couldn't get any information from the North Versailles Police Department. I still can't go in the house because I am afraid that I will drop dead.

MR. S. SHURGOT: you should contact the Health Department first. The reason that they did not give you any information is that it is an ongoing investigation.

MR. J. TOMASEVICH: I believe I know who broke in, my neighbor.

MR. J. NALEVANKO, WILMERDING RENEWED: to bring you up to date on what is happening at the Castle. We have the naming rights to the new museum, which is called the Westinghouse Castle Museum and it is open to the public and we also have our railroad display that is open all year around and we also have a railroad club up there. I talked to Triangle Tech about the lighting at King's Way. They are finished but they need painted.

CORRESPONDENCE

1. received a notice on the Allegheny County Borough's Association Membership Meeting to be held on Thursday May 8<sup>th</sup> at the Shannopin Country Club.

C. TUSCAN / C. SPICUZZA TO SEND ANYONE THAT WANT TO ATTEND. MEMBERS VOTED APPROVAL, 7-0.

2. received a request for a handicap sign at 317 Welsh Avenue. All the paperwork is in order.

C. SPICUZZA / C. TUSCAN TO GRANT A HANDICAP SIGN FOR 317 WELSH AVE. MEMBERS VOTED APPROVAL, 7-0.

3. received a request for a handicap sign at 59 Sprague Street. All the paperwork is in order.

K. PETERSON / C. SPICUZZA TO GRANT A HANDICAP SIGN FOR 59 SPRAGUE STREET. MEMBERS VOTED APPROVAL, 7-0.

4. received a reminder that "Earth against Litter" is set for April 18-20 and that Wilmerding is one of the communities considering taking part in this project. We are looking for volunteers to help us out. This will be part of the borough spring clean up.

C. TUSCAN / K. PETERSON TO TAKE PART IN EARTH DAY ACTIVITIES. MEMBERS VOTED APPROVAL, 7-0.

COMMITTEE REPORTS

PUBLIC SAFETY - C. TUSCAN: we received the fire department and ambulance reports and Sgt. DiCenzo will give the police report.

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SGT. V. DICENZO: there were 193 general complaint calls for the month of February, 29 citations were issued and 3 parking tickets. Out of the 193 calls 3 were for the landlord ordinance, 9 for domestic violence and 6 juvenile complaints are just a few that stand out.

MR. C. TUSCAN: the Allegheny County E.M.S. Council in conjunction with Sen. Sean Logan are distributing through our ambulance service, Eastern Area, CPR Anytime Kits. What it does is allow you to learn CPR in your home through a 20 minute video. It doesn't take the place if someone wants to be certified. The kits are free and the only thing you need to do is sign off on them.

CODE ENFORCEMENT - J. NALEVANKO: February was a busy month. I think we got a good hand on who is who and where everybody is at in all areas of the community. Also, are we going to be able to clean up the area down on Pitcairn Street.

PUBLIC WORKS - G. JAKUB: we met with PennDOT and we are going to get involved in what is called the Agility Program. This is where the Borough of Wilmerding agrees to take on certain tasks, this might be to salt Station Street hill, this might be to clean trash off the ramps or salt the ramps and in turn PennDOT creates a barter system. Each thing we do has a dollar value. We may get service in return, we may get supplies in return, but basically every action we do we will get something back. We had the Solicitor check out the agreement and we would need to pass a resolution to get involved with this.

MR. S. SHURGOT: for the newer members of Council, we were involved with this before.

MR. G. EVASHAVIK: this agreement is for a five year term.

G. JAKUB / S. VOLPE TO PASS THE RESOLUTION TO PARTICIPATE IN THE AGILITY PROGRAM FROM PENNDOT. MEMBERS VOTED APPROVAL, 7-0.

MR. G. JAKUB: Dave, do we just have Station Street hill or do we go further.

MR. D. GILLILAND: I am not sure, I will have to check on that.

MR. G. JAKUB: we needed to verify that for him. Since we have been salting it we need some compensation already.

MR. D. GILLILAND: I think we stop at Caldwell.

MR. S. VOLPE: we go from Caldwell to Card and out to the end of the wall.

MR. G. JAKUB: we needed to verify that because we are salting that and we are not getting any compensation.

MR. C. TUSCAN: Joe said that we already have an agreement with the State for Sprague Street.

MR. G. JAKUB: with the cost of fuel now, can we get involved with COG.

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MR. C. TUSCAN: COG doesn't have a fuel program anymore. You can contact Forest Hills about that.

MR. G. JAKUB: both spreaders on both trucks have finally been repaired and they are both working. A lot of people were involved in that effort. Because of the cost of fuel and because of the cost of repairs, maintenance and upkeep of everything, unless we are going to be doing snow removal there will be only one truck used on a daily basis. This will cut back on the repairs and fuel.

MS. K. PETERSON: what is going on with the street lights on Station Street.

MR. M. TRKULA: there was a problem down behind Shiring's with an old pole. Duquesne Light came out and did that purposely, and when it is coming back on I don't know.

MR. S. VOLPE: every year the County puts on a municipal pest control training class. Who ever goes from the street department for this training we can then get free rat bait.

MR. G. JAKUB: we talked about this when personnel met on training. I would like to send at least one if not both of them.

G. JAKUB / S. VOLPE TO SEND BOTH WORKERS TO THE PEST CONTROL TRAINING CLASS. MEMBERS VOTED APPROVAL, 7-0.

COG REPORT - C. TUSCAN: their meeting was the annual banquet where they installed the new officers. Sen. Logan was the speaker and there was a lot on funding and gaming revenue. There is a big push to have municipalities contact their representatives legalize the video poker machines for additional revenue. Also, many school districts got an increase in their allotment and East Allegheny received a 9% increase.

ENGINEER REPORT - D. GILLILAND: we have not had any response from PennDOT on the Safe Route to School Project. We are still hoping to advertise this project in the spring.

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

The owner of the lot at Florence and Welsh where water was draining onto Welsh Avenue has responded. She is a 90 year old woman who inherited the lot and didn't even know she owned it. The granddaughter who called said they are looking into some way to fix that problem.

The property owner at 421 Welsh Avenue has connected his roof drains to our storm water pipe.

We are preparing to advertise the Phase 3 of the Significant Deficiency Sewer Repair Project. Council will need to authorize the advertising of this project. Bids will be opened in April and be tabulated for award at your May meeting. The estimated cost of this phase is \$75,000. This will be bid with seven other communities as we have done in the past.

G. JAKUB / S. VOLPE TO ADVERTISE THE PHASE 3 SEWER PROJECT. MEMBERS VOTED APPROVAL, 7-0.

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MR. S. SHURGOT: I think it was November or December that we got the surprise notice of the \$20,000 grant for the walking trail. Have we heard from the County if there is any more money.

MR. D. GILLILAND: there is no more coming. We can proceed with what we have.

UTILITIES - M. TRKULA: we have to set up a meeting with the Comcast representative to finalize this contract.

MR. C. TUSCAN: we can meet with him at our workshop on the eighteenth at 6:30 p.m. I will get in touch with him.

SOLICITOR - G. EVASHAVIK: we received a notice from the Health Department concerning the property at 652 Middle Avenue owned by Ronald Reagan. There was a hearing scheduled in the last month and when we followed up on that Mr. Reagan pleaded guilty. I don't know the current condition of the property but the Health Department recommends that the property be razed. They suggest that the borough proceed with the condemnation of the house. As you know this is an expensive process and we do not gain ownership of the property. This would give you the legal authority to enter on to private property and demolish the structure.

MR. S. SHURGOT: he is living in the property and the Health Department says that it is uninhabitable

MR. G. EVASHAVIK: is it structurally unsound. The engineer would have to make that determination. How does it look to you. Does it look like it is in danger of collapse.

MR. J. NALEVANKO: yes, you have three two by tens holding up the porch.

MR. M. TRKULA: he lives in one of those row houses on Middle Avenue where the houses are connected.

MR. G. EVASHAVIK: from what I am hearing you are going to have to go in and cite him. He is putting his neighbors in jeopardy.

MR. C. TUSCAN: why don't we have Dave go down there with John to determine the condition.

FINANCE - C. TUSCAN: the audit is progressing.

C. TUSCAN / G. JAKUB TO PAY ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 6-0-1 WITH S. VOLPE ABSTAINING.

BOROUGH PROPERTY - S. VOLPE: we moved the key box to the back room and we will go through the keys to see which ones are still good.

MR. M. TRKULA: Steve, did you hear from that Eagle Scout.

MR. S. VOLPE: was he supposed to talk to you John.

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MR. C. TUSCAN: my wife has some kind of contact. He called our house. I will try to get you his number.

RECREATION - K. PETERSON: our Easter Egg Hunt will be on March 15<sup>th</sup> starting at noon in the park. Then we will go to the castle for the kids to meet the Easter Bunny.

PLANNING - K. PETERSON: no report.

PERSONNEL - G. JAKUB: the Personnel Committee met and did reviews with the Department of Public Works. Also, packages were created for each employee showing their job description, job evaluation, the review, handbook and a copy of their value of their benefits for the year.

C. SPICUZZA / C. TUSCAN TO GIVE THE LABORER POSITION A 3% COST OF LIVING INCREASE BRINGING HIS HOURLY WAGE TO \$11.32. ROLL CALL: M. TRKULA, abstain; C. SPICUZZA, yes; K. PETERSON, yes; G. JAKUB, yes; S. VOLPE, yes; C. TUSCAN, yes; S. SHURGOT, yes. MOTION PASSED FOR A 3% COST OF LIVING INCREASE FOR THE LABORER POSITION, 6-0-1.

MR. G. JAKUB: we also would like to make the Department of Public Works Supervisor position a salary position with a salary of \$32,738.

C. SPICUZZA / C. TUSCAN TO MAKE THE PUBLIC WORKS SUPERVISOR A SALARY POSITION WITH A SALARY OF \$32,738. ROLL CALL: M. TRKULA, yes; C. SPICUZZA, yes; K. PETERSON, yes; G. JAKUB, yes; S. VOLPE, yes; C. TUSCAN, yes; S. SHURGOT, yes. MOTION PASSED TO MAKE THE PUBLIC WORKS SUPERVISOR POSITION A SALARY POSITION WITH A SALARY OF \$32,738, 7-0.

MR. G. JAKUB: we also want to make the Supervisor salary retroactive from the beginning of the year

MR. C. TUSCAN: will he get paid for his overtime.

MR. G. JAKUB: no.

MR. S. VOLPE: we are going to have to pay him the salary from the beginning of the year and then the overtime that he acquired.

MR. G. JAKUB: there will be no overtime. This salary takes care of that.

MR. G. EVASHAVIK: just for the record, any accrued comp time for 2008 is extinguished.

C. SPICUZZA / K. PETERSON TO MAKE THE SUPERVISOR SALARY RETROACTIVE TO THE BEGINNING OF THE YEAR WITH NO OVERTIME AND NO COMP TIME. MEMBERS VOTED APPROVAL, 7-0.



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MR. G. JAKUB: the Personnel Committee received the training list from the fire department. I was told that not everyone received it so we will make copies and make sure everyone receives it.

MR. S. VOLPE: did we get a copy of their certificates with that.

MR. S. SHURGOT: I don't think we need copies of them but you should be able to view them if you want.

MR. S. VOLPE: I think they should make a copy of their certificates. When I was secretary down there, they kept track of everybody's training and we had to provide copies of the certificates. If we didn't have the certificate it wasn't listed on our files.

MR. C. SPICUZZA: it is my understanding, unless I read it wrong, that Council oversees the Chief and the Chief oversees the fire department. I think in that same manner we have to know what has been completed by the Chief, but the Chief would be the one to oversee the fire department.

MR. S. SHURGOT: I think you are incorrect. The borough controls the fire department as a whole and we have to approve the officers they elect.

MR. C. TUSCAN: I would be content to have the committee take a look at them.

MR. G. JAKUB: what if we had a record file for everyone with copies in said file.

MR. S. SHURGOT: I think that if anybody on council would want a copy they are welcomed to it, but I think that it should be viewable to council. I don't want a copy but if you do then you should be able to have one.

S. VOLPE / K. PETERSON TO HAVE THE TRAINING CERTIFICATES FOR THE FIRE DEPARTMENT ON FILE IN THE SECRETARY'S OFFICE.

MS. K. PETERSON: don't they post all the training.

MR. S. VOLPE: everybody should have their own file down there and everybody should have a copy. If went down there and pulled my file you would see all the training certificates that I have.

MR. G. JAKUB: why can't we just verify that the files exist for everyone.

MOTION FAILED TO HAVE CERTIFICATES ON FILE, 3-4.

G. JAKUB / C. SPICUZZA TO HAVE A FILE OF EVERYONE'S TRAINING CERTIFICATES ON RECORD FOR THE PUBLIC SAFETY COMMITTEE TO REVIEW.

MOTION FAILED TO HAVE THE TRAINING CERTIFICATES ON FILE FOR PUBLIC SAFETY TO REVIEW, 3-4.

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MR. S. VOLPE: I don't know why this is so difficult. It shows on the report that the Chief has ten or eleven certificates. What is so difficult in getting eleven pieces of paper and putting them in a file.

MR. S. SHURGOT: let's have a recommendation made for the workshop.

OLD BUSINESS

1. at last month's meeting council tabled action of acquiring the piece of property on Middle Ave.

MR. S. SHURGOT: I took pictures today with my camera phone. The wall is maybe eighteen inches high and the parking lot is in good repair.

MR. G. JAKUB: can we get the back taxes waived.

MR. S. SHURGOT: the taxes are less than a hundred dollars.

MR. G. EVASHAVIK: not when we don't own it. We probably could ask them.

MR. M. TRKULA: do we want to take this lot. All we are gaining is liability. We are going to have to pave it sooner or later and that wall is crumbling and we will have to repair it sooner or later. I just can't see it. We are going to have to plow it all the time, the wall is falling, and we are complaining about these other two lots and not getting anything from them. What are we gaining out of this.

MR. G. JAKUB: my suggestion would be, if we took it, to put up some kind of storage building there.

MR. C. TUSCAN: another option is that if we take it then one day we can sell it outright.

G. JAKUB / C. SPICUZZA TO TAKE OVER THE PROPERTY ON MIDDLE AVE. MEMBERS VOTED APPROVAL, 6-1.

MR. G. JAKUB: we have worked with both Rep. Costa and Sen. Logan on a DCED grant back in February and now the last rounds of funding are coming up now at the end of March on a new truck. Paul Costa's office filed it for us.

NEW BUSINESS

MR. S. VOLPE: we received a notice about grant preparation classes. The tuition for the full day session is \$120. I think that anybody that wants to go to it should be able to go to it. The only time anybody wrote for a grant it was the Engineer and it was for a playground or some type of sewer project. I think that if everybody went it would be beneficial and we can start writing grants for everything.

MR. C. TUSCAN: there are so many different grants out there. Do they give you the resources on that

S. VOLPE / C. TUSCAN TO SEND ANYBODY THAT WANTS TO GO TO THE GRANT WORKSHOP. MEMBERS VOTED APPROVAL, 7-0.

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MR. C. TUSCAN: are we going to fix the room downstairs. I think it needs some type of carpeting or something down there.

MR. S. SHURGOT: we talked at the workshop that if we needed to buy anything between meetings it is hard to get two signatures on a check. We did go to Compass Bank and they did not offer any debit cards for businesses. The only other option is that we get a credit card that we would pay off every month.

MR. C. SPICUZZA: Citizens Bank does offer that stuff. There were be no charge if you used it like credit. I will get more information on that.

MR. S. SHURGOT: I passed out the spring newsletter for everyone to review and check for typo's. If it is okay then we will send it out.

G. JAKUB / C. SPICUZZA TO SEND THE NEWSLETTER TO THE PRINTER AND MAIL IT OUT. MEMBERS VOTED APPROVAL, 7-0.

MR. S. SHURGOT: we talked in the workshop tonight about campers and boats being parked on people's lawns.

C. SPICUZZA / K. PETERSON TO AUTHORIZE THE SOLICITOR TO LOOK INTO STORING CAMPERS AND BOATS ON PRIVATE PROPERTY. MEMBERS VOTED APPROVAL, 7-0.

MR. S. SHURGOT: we had a lot of discussion tonight about parking on borough lots and not receiving any revenue from them but are forced to pave them and have our street department clean them up. I went through the lots today and they are about three-fourths full. I would like to form a committee to look into ideas on what we can do with that.

MR. G. JAKUB: I will help you with that.

MR. M. TRKULA: I will help also.

MAYOR'S REMARKS

D. POMPOSELLI: Council is doing such a fine job that it is making things easy for me.

Meeting adjourned at 9:00 p.m.