

BOROUGH OF WILMERDING
MINUTES OF THE NOV. 10, 2008 REGULAR MEETING OF COUNCIL

The meeting was called to order at 7:30 pm by President S. Shurgot.

MR. S. SHURGOT: prior to the meeting Council met in Executive Session, from 6:15 pm to 7:10 pm to discuss personnel matters.

The Pledge of Allegiance was led by the President.

MR. S. SHURGOT: I just want to remind everyone that there will be Veteran's Day services here tomorrow at 11:00 am in council chambers.

ROLL CALL: M. TRKULA, present; C. SPICUZZA, present; K. PETERSON, present; S. SMITH, present; G. JAKUB, present; J. THOMAS, present; S. SHURGOT, present.
MAYOR D. POMPOSELLI was also present.

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

PETITIONS & MEMORIALS

MR. J. WRIGHT, WELSH AVE.: I am here on behalf of the Planning Commission and we would like to know if anyone has any idea of what is going on with the Westinghouse School building.

MR. S. SHURGOT: I do know that the school district has an in house suspension program there and they are trying to develop an alternative education program, which they are hoping to expand over the next two to three years. I also know that the YMCA is also using the building. John, can you give us anymore information on this.

MR. J. NALEVANKO, WILMERDING RENEWED INC. : I have been in constant meetings with the school district in the past few weeks. Not only do they have alternative education there, the building is being utilized. As a taxpayer in the East Allegheny School District I can see everybody's concern as to what is going to happen to that building. We have to understand that the building has to remain a viable building and it is going to take time to utilize the building to its fullest extent. We have been working with different universities. I also have to stress the fact, just as saying "no child left behind" you know that there are a lot of children left behind. Those children are the over achievers in our school district. Those are the ones that don't have a chance to move ahead and accelerate to the best of their ability while we are bringing up all the other students that are left behind. What I am proposing to the school district is that they try to implement an academic schedule that would benefit the accelerated students by working with the different universities around the country that would put a classroom here, not only for East Allegheny students but for all the students in the surrounding school districts who would like to attend these day or night courses. We are also working with Pittsburgh Gateways who help small businesses start up in different communities. This would bring in additional tax revenue. There are a lot of things on the table that we would like to see done with that school. We want to keep that a viable building and it needs to remain open.

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MR. J. WRIGHT: in the Post-Gazette a few days ago there was an article that mentioned that the City of Pittsburgh was meeting with the surrounding communities to discuss purchasing and sharing services. Is Wilmerding getting into that.

MR. S. SHURGOT: we were invited a couple of months ago to a meeting. We are looking into that.

MR. G. JAKUB: the same thing is occurring with the COG. We are open to discussions.

MS. J. HENKEL, TURTLE CREEK COUNCIL: I want to address Wilmerding Council on two separate points, one leading to the other. I spoke to Mr. Shurgot last week about the property next to the American Ukrainian Citizens Club on Watkins Avenue and I was wondering if anything has progressed on the demolition of that building.

MR. S. SHURGOT: as of this morning nothing has progressed. Amy called Toni Valicenti, from the school district, to see if they heard anything from the County. We will be calling the County ourselves.

MS. J. HENKEL: I looked at your minutes from the Oct. 7th meeting on your website and I noticed that on page five that Mr. Frydrych from Welsh Avenue asked Council if they made any attempt to contact the other boroughs in the valley to come together as a cohesive group. There is a gentleman from Forest Hills Council, Mr. Mike Belmont, who was instrumental in getting all of the twelve communities that make up the Woodland Hills School District to meet once a month. It is strictly a voluntary basis and it is called the Woodland Hills Inter-boro Council. What we do is that we get together on the last Tuesday of the month and we brain storm. When we first got together people from Turtle Creek said we have these problems, people from East Pittsburgh said we have these problems and it seemed that everybody had the same problem. Instead all of us trying to fight the same battle could we pull our resources together and try to attack these problems as a team. The Woodland Hills Inter-boro Council is extending an invitation to Wilmerding Council to attend one of our meetings. Our next meeting is on January 27th and the Rankin Christian Center at 7 pm. We are also having a holiday get together at the Turtle Creek Borough Building on December 19th from 7 to 9 pm. This is an opportunity for you to meet everyone else. No matter how you approach the problems everything takes time and there are certain steps you have to follow. Thank you for your time.

MS. D. LAGORGA, AIRBRAKE AVE.: there is garbage behind Johnny's Restaurant that is not in a dumpster but in bags. Animals are going to get in to those bags.

MS. K. PETERSON: I called the hauler today. I think the dumpster is full but I am not positive. A lot of people are using that dumpster that are not supposed to be using that dumpster. They have to figure out if they are going to get an extra collection or put a lock on it.

CORRESPONDENCE

1. received a notice from the Allegheny County Borough's Association on their general membership meeting to be held on Thursday Dec. 4th at Churchill County Club. This is the meeting where they collect the toys for tots.

C. SPICUZZA / K. PETERSON THAT ANY COUNCIL MEMBER CAN ATTEND IF THEY CHOSE.

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J. THOMAS: I would like to amend that motion to include that if we do attend that we donate the same amount as last year to the toys for tots.

C. SPICUZZA / K. PETERSON THAT ANY COUNCIL MEMBER CAN ATTEND IF THEY CHOSE AND TO DONATE THE SAME AMOUNT AS LAST YEAR FOR THE TOYS FOR TOTS. MEMBERS VOTED APPROVAL, 7-0.

2. we have an ordinance that has been advertised providing for the implementation of the 2006 International Fire Code, providing for the authority of a Fire Marshall, providing for inspections and providing for fees and penalties.

MR. G. EVASHAVIK: at this time we are going to conduct a public hearing at this time before Council votes on this ordinance. I will briefly summarize. The borough has previously adopted the 2006 International Fire Code in Ordinance No. 963; the borough has experienced some problems with the authority to inspect, regulate and enforce this code and to locate and abate unsafe conditions relative to fire and fire hazards in the borough, it has become evident through Borough Council that machinery must be put in place to provide the mechanics and authority to conduct periodic inspections of buildings in order to enforce this code. That is what this ordinance provides for. It provides for a Fire Marshall to conduct inspections as necessary to insure that fire hazards are identified and corrected. Does anyone have any questions.

MR. J. WRIGHT: is this going to apply to residential and business.

MR. G. EVASHAVIK: it is only for commercial buildings not single family dwellings. Commercial would include any commercial business and apartment buildings.

C. SPICUZZA / G. JAKUB TO ADOPT THE ORDINANCE. MEMBERS VOTED APPROVAL, 7-0.

3. we have an ordinance that was advertised regulating open burning in the borough and providing for authority of enforcement.

MR. G. EVASHAVIK: we are now going to have a public hearing on this ordinance before Council votes on it. This ordinance applies to all outdoor burning and open burning in the borough except for the following. It shall not apply to grilling or cooking food outdoors, burning for the purpose generating heat in a stove, furnace, fireplace or other heating device, open burning of wood, trees, logs, brush shall be permitted in compliance with the following. Only clean dry wood and only in a permitted approved outdoor rated fireplace, fire pit, chimney or 55 gallon drum. No burning shall be permitted between the hours of 11 pm and 7 am. They must be at least 15 feet from the nearest structure. All outdoor burning shall be attended at all times by an individual not younger than eighteen years of age. Adequate means of extinguishment must be immediately available at all times when outdoor burning is taking place. That is the summary of the ordinance. Does anyone have any questions or comments.

MR. P. LIVERATTI: who is going to enforce it.

MR. G. EVASHAVIK: it will be enforced by Code Enforcement or the Fire Marshall.

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MRS. A. BRUCE: does that include the little fireplaces that people burn paper.

MR. G. EVASHAVIK: is it outside.

MRS. A. BRUCE: yes.

MR. G. EVASHAVIK: yes.

MR. D. MILLER, FIRE MARSHALL: yes, a chimney is an acceptable device.

MS. K. PETERSON: if someone is having a party and they are burning wood after eleven o'clock at night, do they have to put it out.

MR. D. MILLER: according to the ordinance they would have to extinguish the fire.

M. TRKULA / K. PETERSON TO ADOPT THE ORDINANCE. MEMBERS VOTED APPROVAL, 7-0.

4. received a letter from Theresa Hickman asking Council to consider her for another term on the Planning Commission since her term expires on January 1st.

S. SMITH / J. THOMAS TO APPOINT THERESA HICKMAN TO A FOUR YEAR TERM ON THE PLANNING COMMISSION EFFECTIVE JAN. 1, 2009. MEMBERS VOTED APPROVAL, 7-0.

COMMITTEE REPORTS

PUBLIC SAFETY - G. JAKUB: I would like to thank all the safety agencies that were involved for Halloween, the police, the fire department and the people from crime watch that all took their turns out there to keep our community safe. I received the ambulance report and they had a total of 33 calls for the month of October. I did not receive the Fire Department report. Chief Comunale will give us the police report.

CHIEF J. COMUNALE: for the month of October we had 242 calls, issued 32 citations and 8 parking tickets. I have been looking at the crime stats for both the township and here for the past six months. With the exception of a few isolated incidents, all the problems that we have been dealing with in the past seems to be on the decline. If you look at what is going on around us, shootings, murder and things of that nature, we haven't had any of those. If you recall, the juvenile calls in the summer were astronomical and last month we had six.

MS. S. SMITH: I have a question on the police officers vests. Do part time police officers, are they furnished a vest through the township.

CHIEF J. COMUNALE: unfortunately they are not. Let me tell you how the officer gets his vest and this is something that people do not realize. The vest cost \$780 and they are good for five years and we are due for vests next year. A grant from the Justice Department buys half of the vests. I use that money for part time or full time, it doesn't matter. The township only pays for the vests of the full time officers and the part time officers are on their own for that half of the vest.

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MS. S. SMITH: we heard at crime watch that they are responsible for their vests.

CHIEF J. COMUNALE: a lot of them use their uniform allowance for the vests and then they don't have any money for the uniforms.

MR. G. JAKUB: I just want to remind everyone that there will be a crime watch meeting this Wednesday at 7 pm.

CODE ENFORCEMENT - J. NALEVANKO: with the understanding of Wilmerding Borough Council to hire and out source my position as Code Enforcement Officer to Building Inspection Underwriters Inc., I hereby give my notice of resignation effective Nov. 30, 2008. I thank you for the opportunity to serve Borough Council and the citizens of Wilmerding.

PUBLIC WORKS - J. THOMAS: there was a sewer problem up on Orient Avenue that the road department and Glenn Engineering with the help of the North Versailles Township Sanitary Authority vac truck opened up the sewer. The salt shed was completed and we got our order in before the deadline. There should be about 125 tons of salt on hand for the coming season. We would like to purchase a tail gate spreader for the dump. We had three prices, one from Zoresco, one from Westmoreland COG and Push and Pull in Pleasant Hills. I would like to recommend that we purchase the tail gate spreader from Zoresco. The price would be \$3,275 for the spreader and \$1,300 for installation.

J. THOMAS / C. SPICUZZA TO PURCHASE THE TAIL GATE SPREADER FROM ZORESCO AT THE PRICE QUOTED.

MR. G. JAKUB: we have to get the tail gate straight first.

MR. J. THOMAS: that was completed by Mr. Mike Smith.

MEMBERS VOTED APPROVAL TO PURCHASE THE SPREADER, 7-0.

MS. K. PETERSON: someone asked me a couple of days ago that when we have the street sweeper come through why don't we announce it.

MR. J. THOMAS: the County sweeper does around the bridge and Avenue U.

MS. K. PETERSON: didn't we have a street sweeper last year.

MR. G. JAKUB: we contact COG to supply us with a schedule of when they are available.

ENGINEER - S. GLENN:

1. PennDOT has approved our plans for the Safe Route to Schools and advised us that this project would be advertised by the end of the year.

2. we have submitted plans and specifications to DCNR on the Phase 2 Walking Trail for their approval. Once approved then the project can be advertised for bid. We told them we would like to start in early spring.

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3. The Castle Landscaping Project is in progress. Several minor changes were made at the request of Wilmerding Renewed resulting in a net decrease of \$50 in the total cost. A change order for this is recommended for approval by Council.

K. PETERSON / S. SMITH TO APPROVE THE CHANGE ORDER FOR THE CASTLE LANDSCAPING PROJECT. MEMBERS VOTED APPROVAL, 7-0.

MS. S. GLENN: I received a call today from Dennis Pittman, who is in charge of the project, and he told me that they are going to look for a price from the contractor to put lighting in down at the gazebo.

4. we received a notice from a certified electrical inspector that 401 Commerce Street passed an inspection. No certification has been received for the remainder of the Park Building.

COG REPORT - G. JAKUB: the price of salt is going to be around \$44 to \$45 this year and it will go up to about \$62 to \$66 next year. That could change depending on the price of fuel.

I attended the East Boroughs Association meeting and part of it was for the Association meeting on Dec. 4th at the Churchill Country Club. I was approached by a Councilman from Wall Borough and he told me that Wall and East McKeesport have been talking and they would like for us to meet with them and talk about the same thing that the Council Representative from Turtle Creek discussed.

UTILITIES - C. SPICUZZA: there was a notice in the newspaper that Comcast is changing their channels and that they are going to raise their rates.

SOLICITOR - G. EVASHAVIK: I have one item for your consideration. There has been an ongoing concern which has been a problem for us and a lot of the neighboring communities and that is citations issued by Code Enforcement in front of the Magistrate. The Magistrate may impose a fine of \$50 or \$75 and in some instances that is appealed and it has to go downtown. The Judge downtown may affirm that decision. At the end of the day this borough and other boroughs are losing money. The cost to the town to go through that process and pay its employees far exceed the amount of the fine. What we are suggesting is to enact new legislation that would establish a minimum fine. As you know the maximum fine is set by the Borough Code and the Magistrate sets the fine. We are recommending that the minimum fine be set at \$300.

C. SPICUZZA / K. PETERSON TO HAVE THE SOLICITOR DRAFT AN ORDINANCE SETTING THE MINIMUM FINE AT \$300 AND TO ADVERTISE THE ORDINANCE. MEMBERS VOTED APPROVAL, 7-0.

FINANCE - J. THOMAS: we are working on the 2009 budget and we will give you more information at the workshop.

J. THOMAS / C. SPICUZZA TO PAY ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 7-0.

BOROUGH PROPERTY - M. TRKULA: there were a few more leaks in the boiler system and they are being fixed.

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RECREATION - S. SMITH: we have a number of things planned for the upcoming holiday season. We did have our Halloween parade and we had a modest turnout. We will be holding Veteran's Day services here at the borough building on Nov. 11th at 11:00 am. Nov. 28th will be light up night here at the borough building. On Dec. 6th we are going to launch our stories in the Castle for preschoolers. We changed the date of our Christmas party. It was going to be in November but it is now going to be on Dec. 13th at 1:00 pm in the Castle. We are also going to bring back the Holiday House Decorating contest. There will be an application in the Wilmerding Preview and also here at the borough building. If you want to participate the deadline to register is Dec. 17th and judging will be on Dec. 19th. We have been asked to decorate a tree in the Castle. The committee will be working on that.

PLANNING COMMISSION - K. PETERSON: as I mentioned before, we changed our meetings to quarterly. Our next meeting will be on Dec. 17th.

FIRE MARSHALL - D. MILLER: you should have a copy of my report. I am working with Sean Kerrigan to get all of his properties inspected.

OLD BUSINESS

None

NEW BUSINESS

MS. S. SMITH: I have a question on our delinquent taxes. Posted on the internet is an updated list of delinquent taxes for the borough. I want to know what steps are taken to recover those delinquent taxes.

MR. J. HARTZELL: before they are turned over to the collection agency I send out a reminder.

MS. S. SMITH: once you send them the list, do you stay in contact with them. Do you follow up on this.

MR. J. HARTZELL: there are a few that make payment arrangements with the collector. There is money that trickles in over the year. But before a house is sold those delinquent taxes have to be paid.

MS. S. SMITH: do you do a follow up letter from this borough that you are delinquent on your taxes.

MR. J. HARTZELL: there are letters sent out before I turn it over.

MR. G. EVASHAVIK: once he turns the taxes over to the delinquent tax collector he is relinquishing his responsibility.

MS. K. PETERSON: when a property is sold they have to do a title search. When they do that they will see that there are delinquent taxes. They are collected eventually.

MR. C. SPICUZZA: I have done houses that had \$20,000 in back taxes because they hadn't paid in twenty years. When they sold that house those taxes were collected.

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G. JAKUB / S. SMITH TO INCREASE OUR CLERK IN THE CODE OFFICE TO TWENTY-EIGHT HOURS PER WEEK TO SEND OUT NOTICES ON DELINQUENT GARBAGE. MEMBERS VOTED APPROVAL, 7-0.

MS. S. SMITH: a lot of communities pay their garbage directly to Waste Management. Have we ever entertained that idea.

MS. S. GLENN: it would cost the homeowner more for the garbage collector to do that.

G. JAKUB / J. THOMAS TO HAVE BUILDING INSPECTION UNDERWRITERS ASSUME BOTH OUR CODE ENFORCEMENT AND BUILDING INSPECTION FOR THE BOROUGH OF WILMERDING EFFECTIVE DEC. 1ST. ROLL CALL: M. TRKULA, no; C. SPICUZZA, yes; K. PETERSON, yes; S. SMITH, yes; G. JAKUB, yes; J. THOMAS, yes; S. SHURGOT, no. MOTION PASSED 5-2.

MR. G. JAKUB: the firm is out of Avalon and they work with different borough's surrounding us. It would give us a professional point where there are no conflicts of people owning property or people owning business. These people go all the way through to the Magistrate. We figure that if we start to get a professional agency to help us do this that we are going to make some differences where we were not able to do in the past.

MR. G. EVASHAVIK: they have a specific fee schedule that they charge for the services. Your fees have to be revised where you at least try to break even. By our existing ordinances we have established all of our fees for building inspection, electrical inspection, occupancy inspection and so forth. Those fees can be amended by simple resolution. If you want to retain the company then you have to entertain their fee schedule.

C. SPICUZZA / S. SMITH TO AMEND OUR FEE SCHEDULE FOR SERVICES. MEMBERS VOTED APPROVAL, 7-0.

J. THOMAS / C. SPICUZZA TO ADVERTISE FOR AN AUDITOR WITH A DEADLINE OF NOV. 21ST. MEMBERS VOTED APPROVAL, 7-0.

MR. P. LIVERATTI: how is this going to be enforced. Are they going to patrol every street to see what is going on or is it going to be reported to somebody.

MR. S. SHURGOT: it would be reported to the official, whoever the borough names, they would take the call and report it to this company.

MAYOR'S REMARKS - D. POMPOSELLI: it looks like you people took care of everything and I don't have to do nothing. Maybe you don't need the Mayor in town anymore. You will save some money. If you have no use for him then you should abolish the job.

Meeting adjourned at 8:40 p.m.