

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

The meeting was called to order at 8:00 p.m. by President S. Shurgot.

MR. S. SHURGOT: Council met in Executive Session prior to the meeting to discuss personnel matters.

The Pledge of Allegiance was led by the President.

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.

S. SMITH / C. SPICUZZA TO ACCEPT THE MINUTES OF THE JAN. 6, 2009 MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 7-0.

PETITIONS & MEMORIALS

MRS. J. TOMASIC, WESTINGHOUSE AVE.: for the last three years the Wilmerding Historical Society asked to have that room painted. The last person I talked to about this was Mr. Trkula. We are going to change the display at the Castle and bring some items down here. In addition to painting, the roof is leaking and the plaster is falling apart. I want to know when you are going to fix that and paint that room. If not, there is money in the budget and you can hire somebody to fix that. Also, Mr. Wright has resigned from the Planning Commission and I have been appointed Chairperson. There is an old issue that was brought up and it concerns the Lester property on Watkins Avenue next to the Ukrainian Club. This membership has spent a lot of money revitalizing that area over there. They built a new building and upgraded that section over there. The problem is the property next to it. It is my understanding that in the summer time there are a lot of wasps and rats coming out of there. This membership has offered to buy this property and rip it down. They are saving the borough money by ripping it down and putting it back on the tax roles. We know the school district and the borough has signed off on selling the property. The Planning Commission is requesting that you send a letter to Allegheny County asking them what is the hold up on signing off on this property.

MR. S. SHURGOT: we have been in constant contact with Toni Valicenti from the school district trying to find out why the county will not sign off on this. We will put that in writing.

MR. M. TRKULA: another thing, the county wants to come out and reassess.

MRS. J. TOMASIC: in last month minutes there was a question about the taxes at the castle. The WRI has control of that castle and so does the borough. We are afraid that if that goes under and somebody else takes over it could become an eyesore. The Planning Commission, as you all know, is trying to establish an historical area and we need that building. In talking to that committee they are willing to pay some money, in lieu of taxes, to cover some of the police expenses and so on. We are wondering why the borough has never signed off on that.

MR. G. JAKUB: no one has ever came to us and said that.

MR. S. SHURGOT: John Thomas will pass out a list of tax exempt properties. The value of those, if you add the castle, would be twenty-one percent of our assessed value would be tax exempt. This is about twelve million dollars out of our fifty-five million dollars in real estate. Council was reluctant to do that for

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

that reason. There is nothing against people trying to do something with that but we are losing more of our tax base. We talked about sending you guys a letter that we would like something in lieu of our taxes. We were going to discuss that more tonight but you beat us to the gun.

MRS. J. TOMASIC: from the Planning Commissions point, my answer to these people is that Council is going to send a letter to them.

MR. S. SHURGOT: we were going to take some kind of action tonight.

MR. C. SPICUZZA: this is something that has been discussed before. The taxes haven't been paid period, yet. Council is telling them \$2,000 in lieu of taxes. How is that going to change anything different from the \$15,000 they haven't paid yet.

MRS. J. TOMASIC: in the past when APICS owned it that is what the deal was.

MR. G. JAKUB: I worked there and APICS agreed to a certain amount.

MR. C. SPICUZZA: I understand that. Whether we say it is \$2,000, \$10,000 or \$14,000 we still haven't received any back taxes yet.

MR. G. JAKUB: just for the record, I am in touch with the APICS board because of my history with them. There is some concern there because not all of the funding has come through and not all of the payments have been made and they are also skeptical on what is going on with this. Somewhere down the road, hopefully quickly, we can get things ironed out. As Council we would like to get it cleared out as well. We don't want to see APICS come back here and say we do not have our money so the building is going up for sale.

MRS. A. BRUCE, AIRBRAKE AVE.: have you applied for that permit for flood control.

MR. S. SHURGOT: I thought I pulled the proper form off the DEP website but Dave Gilliland told me that was the wrong one and he is going to get the proper permit for me.

MRS. A. BRUCE: also, on the castle. I think we should do everything we can for that building. A lot of people come to Wilmerding to visit the castle that have never been here before. We never know if someone will like the town good enough that they may want to put in business here. I think we should do everything we can. We all know that they don't have the money to take care of that building. It is a well established building and I think that we should all work together.

MR. G. JAKUB: I recently spoke to someone who came to me from our board and they are very concerned on how they are going to get their money.

MR. C. SPICUZZA: do you own a business right now. The reason you don't own a business is because you don't have the money to buy your own business.

MRS. A. BRUCE: that has nothing to do with this.

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

MR. C. SPICUZZA: it has everything to do with it. If you are going to buy a building you need the money to do it.

MRS. A. BRUCE: we do as much as we can up at that building to save them money. In fact, most of the things they have had up there most of the borough people are not supporting it. I think that if you have Wilmerding in your best interest you should support the different things that go on up there. There are many things that go on in Wilmerding that many of you people do not even attend or support. I don't see half of you people at any of the activities that go on.

MR. C. SPICUZZA: my point is, for example, Pasquale's coming in and saying I want tax exempt because I cannot pay my bills. He bought the business and he should have known this before buying it.

MRS. A. BRUCE: that is not the same. They are a non profit.

MR. G. JAKUB: Mrs. Bruce I agree with you. When I ran public works we sent our back hoe up there we sent our employees up there and we moved things down. As a Councilman I don't have a problem but we need to get this ironed out.

MRS. A. BRUCE: we need participation from everybody not just a one or two people.

MS. G. HOMITZ, WESTINGHOUSE AVE.: I will speak for WRI and we were granted tax exempt and for some reason we got a letter that we were not tax exempt and we are appealing this. That is why you did not get last years money. I think at last month's meeting someone mentioned that we should have a meeting about this and no one has contacted us. We are trying to improve that building because they left that building a mess. APICS asked us for a list of things that we have done since we moved into that building. I told them that if they didn't leave the building in such a mess that we would have some money to give them. We have put all the money that we have into improving that building. That is why we are backed up on everything.

MR. G. JAKUB: we don't want to see the building disappear either. I am getting calls when I shouldn't even be involved in it only because I have worked there in the past.

MS. G. HOMITZ: then you should know how bad of a shape it was in.

MR. G. JAKUB: it wasn't in that bad of shape. The boiler worked and the air conditioning worked but there were some portions that it didn't.

MS. G. HOMITZ: we would like to meet with you people and straighten this out. The Turtle Creek Watershed had no funding and they wanted to move out. We told them to stay there and use the room. They have been operating since September without any funding.

MS. K. PETERSON: Gerry, I agree with you. Council and everybody has to work together. We were going to do something this evening.

MR. P. LIVERATTI, AIRBRAKE AVE.: is it possible to publish the list of people who owe taxes.

MR. S. SHURGOT: it is on the borough website.

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

MR. P. LIVERATTI: who gets the website. Get it out to the people, pass it out.

MR. S. SHURGOT: you will have it at the next meeting.

MS. A.M. WISE, MIDDLE AVE.: I am the owner of the old Ukrainian Club, and we have a business there, Our Place Homemade. We also bought the property across the street, the old Bacco garage, and we are using that as a parking lot. When you come up State Street there is no parking on that right hand side. If you make that bend and come down Middle Avenue there is parking there. If you come into our lot and you are facing Middle Avenue you can't get out because someone is parking there. We want this to be open so we can park there. We understand and we know we can put signs in the lot just to be used by our business. We would like to have signs put up on Middle Avenue for no parking from one pole to the other pole so customers can pull out of the parking lot.

MR. S. SHURGOT: you are asking us to put up a sign not to block the driveway.

MR. J. THOMAS: you can also put no parking from one pole to the other pole.

C. SPICUZZA / M. TRKULA TO HAVE THE CHAIRMAN OF THE PUBLIC WORKS TAKE A LOOK AT THE SITUATION AND SEE WHAT SIGNS ARE APPROPRIATE AND HAVE THEM INSTALLED.  
MEMBERS VOTED APPROVAL, 7-0.

MRS. A. M. WISE: also, there is a street light right on that corner is mostly off at night.

MR. S. SHURGOT: if you notice a street light out get the number off of the pole or the address that it is in front of and call Joe and he will contact Duquesne Light.

MRS. A. M. WISE: another thing, we would like to know if we can place a sign on the pole on Patton Street. We want to let people know where we are. There is a sign already there showing the way to the Ukrainian Church. Can we add a sign to that post that is already there.

MR. S. SHURGOT: I don't know the sign ordinance off the top of my head. But I believe the church put that sign up and you would have to ask them.

MRS. A. M. WISE: can we put our own pole and sign up.

MR. J. THOMAS: that would be private property and you would have to talk to the property owner.

MRS. A. M. WISE: the sign is on your street pole.

MR. G. EVASHAVIK: you would need permission from Council to do that since it is a borough owned post. We have an ordinance that regulates the placement of signs in the borough. No one has it memorized.

MR. S. SHURGOT: if the sign complies with the ordinance then there is no problem. If it doesn't and you need a variance then you would have to come back at the next meeting. All of our ordinances are on the borough website, which is [www.wilmerdingboro.com](http://www.wilmerdingboro.com).

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

MRS. A. M. WISE: also, we have been complaining about the properties on either side of us about their rain gutters. I know the borough has sent them letters and they still haven't done anything about them. I want to know what is the next step, why is this still going on.

MR. S. SHURGOT: from the report our code office gave us, they sent them a notice that repairs have to be done by March 13<sup>th</sup>. If the repairs are not made then we will cite them at the Magistrate.

MRS. J. TOMASIC: why did you list the borough building and the garage and parks on the list of tax exempt properties.

MR. J. THOMAS: all of that information came from the county website.

MRS. J. TOMASIC: I want to know why they are included on the list when you own them. I don't feel they should be added on to the list.

MR. J. THOMAS: when you set the taxes you have a set amount that is taxable and you have a certain amount that is not taxable. One fifth of the property in Wilmerding is tax exempt. All I was trying to do is show how much is tax exempt compared to the other municipalities.

MRS. J. TOMASIC: these properties belong to the people of the town, of course it is tax exempt, they own it. I feel that it should not be on this list. What it looks like is that you are padding the figures.

MR. P. LIVERATTI: I didn't check tonight but are the Christmas lights still on.

MR. J. THOMAS: they will be off tomorrow.

MR. K. CHARLES, AIRBRAKE AVE.: there are three vacant houses on Airbrake and they have broken into all three of them. They have stole the copper out of one of them. I was wondering who owns these properties. My biggest fear is that someone will go in there and start a fire. There was a gas leak in one.

CHIEF J. COMUNALE: I believe they are all of Sean Kerrigan's properties. There is also another property up on Middle where the windows are out.

CORRESPONDENCE

1. we have a resolution that needs to be passed to allow us access to the PennDOT website to file our annual reports.

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

2. received a notice on the Turtle Creek COG annual dinner to be held on Friday Feb. 27<sup>th</sup> at the Olympia Hall in East Pittsburgh. Cost for the dinner is \$50 per person. The guest speaker will be Sen. Jay Costa.

M. TRKULA / K. PETERSON TO RECEIVE AND FILE. MEMBERS VOTED APPROVAL, 7-0.

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

3. received a letter from the Municipality of Monroeville on the pension settlement with the PA. Auditor General and final distribution of the ERC assets. Based on their calculations the borough will receive \$3,219.11 as their final closeout distribution.

J. THOMAS / S. SMITH TO ACCEPT THEIR FINDING AND AGREE TO THE FINAL DISTRIBUTION OF THE ERC ASSETS. MEMBERS VOTED APPROVAL, 7-0.

COMMITTEE REPORTS

PUBLIC SAFETY - G. JAKUB: the Fire Marshall submitted his report for the month of January. He inspected three properties on Middle Avenue for Sean Kerrigan, inspected eight apartments in the high rise, sent a registered letter to the owner of 530 Glenn Street who's wall is falling down and met with the Fire Chief concerning the fire escape at Wab-Tec. The report from the Fire Department is as follows, they had eighteen calls for the month, 35 man hours, 20 hours for driver training and received four applications, which are being investigated. From Eastern Area Ambulance they had a total of 46 calls for the month of January with their average response time of 7.13 minutes. Both myself and Councilwoman Smith attended the meeting at North Versailles and I voiced my opinion on several matters. We basically have to see what happens up there. I got a lot of assurances from the members of the police department that anytime there is a call in Wilmerding you have our word that we will be there. I only hope that they can carry that out. I will now turn it over to Chief Comunale who will give the police report.

CHIEF J. COMUNALE: in January we responded to 210 calls issued 13 citations and 3 parking tickets. I did some comparisons and for the year 2008 there were 3,093 calls and in 2007 there were 3,359 calls. Unfortunately domestics are up in 2008 about ten percent. Drug investigations were down, serious crimes were down and juvenile complaints went way down and thefts went up a little bit. Even when we are in Wilmerding we still assist other police departments. The Wilmerding car gets called a lot to the neighboring communities. For 2008 there were 36 assists and in 2007 there were 37 assists. The calls in general were down for 2008 and the calls in the township were up in 2008.

MR. G. JAKUB: if things deteriorate like you said, can we get back up from Turtle Creek, Pitcairn and whoever.

CHIEF J. COMUNALE: obviously the part time officers were laid off and it is up in the air if the school district is going to take them or not. There were also three full time positions eliminated. I lost four part time officers, which was sixteen shifts a week and I gained three full time officers from specialized positions for fifteen shifts a week so I only lost one shift. I have a better contingency of officers on now. Every single day from 3 to 11 and night turn I have four officers and on five of those days I have five officers on both of those shifts. So from seven at night to three in the morning there are five officers on for both towns. As far as coverage it is there, I don't have any problem.

MR. G. JAKUB: are there any officers not being paid at this time.

CHIEF J. COMUNALE: all of us are not being paid.

MR. G. JAKUB: we are getting police coverage from people who put their life on the line without pay.

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

CHIEF J. COMUNALE: all of the officers are working. Eventually they will be paid but right now there are not being paid. It looks like by the end of February they will be shutting off our gasoline supply if it is not paid. I talked to the Allegheny County Sheriff's Department and they assured me that if we get in a bind that they will patrol our area if needed. I really don't think that is going to happen.

CODE ENFORCEMENT - S. SHURGOT: everyone received a copy of their report. They collected \$565 in occupancy permits and \$595 in rental licenses.

G. JAKUB / K. PETERSON TO HAVE OUR SOLICITOR SEND A LETTER TO BUILDING INSPECTION UNDERWRITERS STATING THAT DUE TO INADEQUATE SERVICES THAT THEY ARE PROVIDING THAT WE WILL NO LONGER BE USING THEIR SERVICES. ALSO, AFTER OUR MEETING WITH JOHN NALEVANKO AND STEVE VOLPE WE CAN DISCUSS ABOUT THEM COMING BACK. MEMBERS VOTED APPROVAL, 6-1 WITH S. SMITH VOTING NAY.

PUBLIC WORKS - J. THOMAS:

J. THOMAS / M. TRKULA TO HIRE FRANK McELROY AND FRANK McCURRY AS PART TIME WORKERS FOR OUR PUBLIC WORKS DEPARTMENT AND A RATE OF \$9.50/HR AND NO BENEFITS.

MS. K. PETERSON: you said they are hired part time.

MR. G. JAKUB: they are on a as needed basis.

MS. S. SMITH: the other part time worker we hired last month was paid \$10.30 an hour.

MR. C. SPICUZZA: we just matched his salary that he was making in another borough.

MEMBERS VOTED APPROVAL, 7-0.

MR. J. THOMAS: during the past month we bought cold patch and the crews were filling in the pot holes. The main pivot on the plow for the pick up cracked and we are working on getting that fixed. Starting in February we are going to have additional reports from our road department on the miles that the trucks are being run and the cost of fuel and so forth. For the 2008-2009 winter season we have used over 220 tons of salt on our roads. The storm last Tuesday and Wednesday they were out all night and they could not keep up with the freezing rain and then the snow. We actually ran out of salt. They were changing some lights bulbs downstairs and I couldn't believe the ladder that they were using. I would like to purchase a ten foot fiberglass ladder from Home Depot for \$150.

J. THOMAS / G. JAKUB TO PURCHASE THE LADDER FOR \$150 AT HOME DEPOT. MEMBERS VOTED APPROVAL, 7-0.

MR. J. THOMAS: we received a letter from the Southwestern Pennsylvania Commission on the traffic signals purchase program. This would change all of our incandescent bulbs to the LED bulbs. They would cover fifty percent of the costs to purchase the bulbs. We would have to install them. We have eighteen light fixtures and 54 bulbs. The cost for the bulbs range from \$40 to \$80 per bulb. You are looking between \$4,000-\$5,000. You would save about one-fifth of the cost of the electricity.

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

K. PETERSON / G. JAKUB TO TABLE THIS UNTIL OUR MEETING ON THE 17<sup>TH</sup>. MEMBERS VOTED APPROVAL, 7-0.

CHIEF J. COMUNALE: if you do that you have to call Duquesne Light and tell them that you did that. They do not meter those lights.

COG REPORT - G. JAKUB: we are on the list for the Safe Neighborhood Demolition. We have a grant for \$20,000 for two properties. We are waiting for the grant to come through before anything can be done.

ENGINEER - D. GILLILAND: the grant you are talking about is usually advertised in May and opened in June.

1. PennDOT has approved our plans for the Safe Route to School Project and informed us that it will be advertised this year.

2. bids were opened on January 28<sup>th</sup> for the Phase 2 Walking Trail Project. We are recommending that bids be tabled for review.

G. JAKUB / S. SMITH TO TABLE THE BIDS UNTIL THE ENGINEER CAN REVIEW THEM. MEMBERS VOTED APPROVAL, 7-0.

3. the Castle Landscaping Project is dormant until the gazebo is received.

4. proposals were opened on January 28<sup>th</sup> for the sewer repairs at 401 and 409 Orient Ave. We also are recommending that these be tabled for review.

G. JAKUB / J. THOMAS TO TABLE THE PROPOSALS FOR THE ORIENT AVENUE STORM SEWER PROJECTS FOR THE ENGINEER TO REVIEW. MEMBERS VOTED APPROVAL, 7-0.

5. we have applied for a CITF grant for the remaining sewer deficiency repairs. The grant request is for \$167,000. We have not received any response to date.

6. everyone has received a letter from Mr. Glenn regarding the stimulus funding and what has been submitted to date for Wilmerding.

MR. C. SPICUZZA: we were talking in the workshop about the different grant for demolition and that it was only available where there is rehabilitation projects going on or houses being built. Would this grant qualify to tear down the house next to the new Ukrainian Club since it is a new business.

MR. D. GILLILAND: it has to be a significant project.

SOLICITOR - G. EVASHAVIK: no report.

UTILITIES - C. SPICUZZA: we received a letter from COMCAST that they have a special deal for businesses. I believe it is the same advertisement that they are offering everybody, \$99 for the telephone, cable and internet.



BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

FINANCE - J. THOMAS:

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

MR. J. THOMAS: everyone has a copy of the letter from the Auditor who did our 2007 audit. Our new Auditor needs some information from her to do the 2008 audit and she wants a \$500 retainer plus costs to provide this information.

MR. S. SHURGOT: the Solicitor is going to contact her and see why her fee is so much.

J. THOMAS / S. SMITH TO PURCHASE QUICKBOOKS PRO SOFTWARE BOOKKEEPING SOFTWARE AND PAYROLL FOR APPROXIMATELY \$300.

MR. G. JAKUB: is that approved by our new Auditor.

MR. S. SHURGOT: that is what he is recommending.

MEMBERS VOTED APPROVAL, 7-0.

MR. G. JAKUB: we will have to discontinue all of the support on our current programs.

MR. S. SHURGOT: yes, once the Auditor's Administrative Assistance comes down and installs it and shows our secretary how it works.

BOROUGH PROPERTY - M. TRKULA: no report.

RECREATION - S. SMITH: we took the trees down in the Castle recently. We are waiting for a response from the school about showing movies and having family night over at the auditorium. We are planning our Easter Egg Hunt and we are looking at what the other surrounding communities are doing. Stories in the Castle will go again this Saturday at eleven o'clock.

PLANNING COMMISSION - K. PETERSON: first I want to apologize to the Planning Commission. I have been trying to attend the meetings. The Planning Commission is trying to attend some seminars on marketing the municipality. They have also set goals for 2009 and they are maintaining the Castle, want to improve the school system by upgrading the curriculum, pursuing the Russian Hill Project, and talking to the landlords about getting new businesses in the community. Joyce Tomasic has been appointed the new Chairperson of the Planning Commission.

MS. S. SMITH: didn't we talk about a tanning salon coming and a second hand store.

OLD BUSINESS

MR. G. JAKUB: everyone has a copy of the payment plans being set up for garbage.

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL

NEW BUSINESS

MR. S. SHURGOT: I just want to let everyone know that there is an informational meeting with ALCOSAN on the EPA Consent Decree this Thursday at 10:00 am at the Holiday Inn in Monroeville. Also, there will be a meeting for anyone that wants to attend the Three Rivers Wet Weather Basin Group meeting on January 23<sup>rd</sup> at 10:00 am at the Monroeville Municipality Authority Building.

MS. S. SMITH: we received an e-mail about a shared K-9 Officer. How can you share a K-9 Officer. Isn't a K-9 Officer one officer and one dog.

MR. G. JAKUB: that came from COG and they are trying to provide as many services to get COG back into the communities. I don't know if some of them are going to work.

CHIEF J. COMUNALE: that is almost impossible to do.

MR. M. TRKULA: there was an article in the Tribune-Review on the Open Records Law. One of the questions brought up and they couldn't answer it was how long do we have to save the tapes from a meeting.

MR. G. EVASHAVIK: I think a year is sufficient.

MS. S. SMITH: are we taking the issue with the Castle tax exemption to our next business workshop.

MR. S. SHURGOT: I think we want to meet with them first to discuss that.

S. SMITH / K. PETERSON TO SET UP A MEETING WITH THE CASTLE FOR JAN. 12<sup>TH</sup> AT 7 PM.  
MEMBERS VOTED APPROVAL, 7-0.

C. SPICUZZA / S. SMITH TO REMOVE THE DISCIPLINARY PARAGRAPH IN THE EMPLOYEE HANDBOOK. IT LISTS DIFFERENT STEPS.

C. SPICUZZA / G. JAKUB TO ADD THE PERFORMANCE MANAGEMENT COMMUNICATION NOTICE FORM TO THE HANDBOOK WHICH CAN BE SIGNED BY THE PRESIDENT OF COUNCIL AS DISCUSSED BY COUNCIL. MEMBERS VOTED APPROVAL 6-1 WITH M. TRKULA VOTING NO BECAUSE HE DID NOT HAVE A CHANCE TO DISCUSS IT.

MAYOR'S REMARKS - D. POMPOSELLI: everything is going fine.

Meeting adjourned at 9:45 p.m.

BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 3, 2009 REGULAR MEETING OF COUNCIL