

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

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

The Pledge of Allegiance was led by the President.

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

G. JAKUB / SMITH TO ACCEPT THE MINUTES OF THE APRIL 7, 2009 MEETING AS PRESENTED.

MR. J. THOMAS: on page 9 there was a motion made by G. Jakub and seconded by J. Thomas to award the bid to McCutcheon Enterprises for \$777 to remove and dispose of the fuel tank at the Shaw Avenue garage. We are not disposing the fuel tank we are disposing the fuel and filling the tank up with sand. Also, on page 10, we discussed about the Tax Collector paying postage on the tax bills being sent out. Mayor Pomposelli commented that when the Tax Collector was on a percentage they paid it and now that they are on a set salary the borough pays it. I was just wondering if that is the law or we are still investigating it.

MR. J. HARTZELL: it is still being investigated. I believe it is in the Tax Collector's Manual and I have to get a copy of it.

MEMBERS VOTED APPROVAL TO ACCEPT THE MINUTES WITH THE CORRECTIONS, 5-0.

PETITIONS & MEMORIALS

MR. D. PARISI, WESTINGHOUSE AVE.: I would like to know the present status of the police relationship and what is the latest information.

MR. S. SHURGOT: we had an informal meeting with the commissioners last week. They gave us their figures on what it would cost them to provide twenty-four hour coverage. There is a \$200,000 difference. We are paying them \$137,000 and they said it would cost \$350,000 to put a patrolman here 24/7. We told them that there is not patrolman stationed in this town 24/7. They said there is someone here 6.5 hours a shift, which we are questioning. We are going to put together a cost that we think we can afford and they are going to come down to see what they can live with and we are going to meet again.

MR. M. TRKULA: these are just preliminary talks right now for the contract for 2010. Everything is fine right now.

MR. D. PARISI: the current contract, how long does it have to go.

MR. S. SHURGOT: it expires at the end of this year.

MR. D. PARISI: do you have any ideas on what you are going to do.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

MR. S. SHURGOT: we are going to try and negotiate with them. If we can't then we will send letters to other communities.

MR. D. PARISI: there are rumors about the possibility or feasibility of Wilmerding having their own police force.

MR. S. SHURGOT: we had a rough idea of what it would cost us to have our own police force. We don't know what the final contract will be with North Versailles so we don't know at this point.

MR. D. PARISI: Steve, as you well know, you were the only one here that was on the public safety, with me, back in 1999. I knew then what it cost us for police just for that year. Here we are now, ten years later, and I don't know what the cost would be.

MR. S. SHURGOT: I know we can't settle on \$350,000, we can start one cheaper than that. We are going to work out something with North Versailles.

CORRESPONDENCE

1. Resolution certifying that certain real property located within Wilmerding contains a blighted structure as such term is defined by the Allegheny County Department of Economic Development in connection with the Allegheny County Stabilization Program. This is for the property at 353 Marguerite Avenue.

G. JAKUB / M. TRKULA TO ADOPT THE RESOLUTION.

MR. J. THOMAS: this is going to go under a CD application.

MR. S. SHURGOT: no, this is the Neighborhood Stabilization Program and it is a total grant.

MS. S. SMITH: the Historical Society wants an old refrigerator out of there.

MR. S. SHURGOT: they would have to go to the property owner and talk with him.

MEMBERS VOTED APPROVAL TO ADOPT THE RESOLUTION, 5-0.

2. received a letter from Mr. Chuck Spicuzza resigning from Council because he has moved out of Wilmerding.

S. SMITH/ J. THOMAS TO RECEIVE AND FILE. MEMBERS VOTED APPROVAL, 5-0.

3. received a letter from Holy Angels Parish concerning the zoning of the church and rectory. Currently it is zoned C-1 and previously it was zoned R-3. They are requesting that it be changed back to R-3 so that the church and rectory are in compliance with the zoning.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

MR. G. EVASHAVIK: I have reviewed the zoning ordinance to see what is required in what zone. You know the history of this property. Originally it was zoned R-3 and at the request of the church it was changed from R-3 to C-1. The only way to change the zoning is to go through the required process under the Borough Code and the Municipalities Planning Act, and that is that it has to go to the Planning Commission. They would have to review the application, they then would have a hearing and they would recommend to Council their decision. Council would then have a public hearing, at a regular meeting, and would determine if it is appropriate to change the zoning. The church is asking to go back to R-3 from C-1 they way it was before. In the letter it said that they want to be in compliance with the Wilmerding Zoning Ordinance, when in fact they wouldn't be, because churches are not permitted in R-3. Churches are permitted in R-1 and R-2 but not in R-3. If he wants to be in compliance he has to request a change to R-1 or R-2. My understanding is that they wanted to convert this to a nursing home, then that would be allowed in R-3. R-3 does not permit churches but it does allow rest homes and nursing homes.

K. PETERSON ENTERED COUNCIL CHAMBERS AT 7:45 P.M. AND WAS RECOGNIZED BY THE CHAIR.

MR. J. THOMAS: he is not talking about the part that is the church, he is talking about the house next to it, which is the rectory.

MR. G. EVASHAVIK: based on the Engineer's review of the drawing and the legal description that was attached to the ordinance that changed the zoning, that is all included in the change that was made. If he doesn't want to take the whole thing and change it and just wants to take part of it, now he is going to have to get a drawing and sub-divide and just do part of it.

4. received a letter from SHACOG that if we want to exercise our option on the second year for rock salt we have to do it before June 1st. The only problem is, if Cargill, the salt provider, does not want to continue with the contractual relationship then SHACOG will terminate the contract on July 31st and will re-bid for salt.

G. JAKUB / J. THOMAS TO CONTINUE WITH THE SHACOG CONTRACT WITH CARGILL FOR THE SECOND OPTION YEAR. MEMBERS VOTED APPROVAL, 5-0-1 WITH K. PETERSON ABSTAINING.

MR. M. TRKULA: what about the letter we received from Mr. James Filia.

5. received a letter from Mr. James Filia in reference to the opening on Borough Council. He is very interested in taking the seat and would like his name placed in consideration for the opening.

MR. M. TRKULA: I would like to nominate Jim Filia to fill Chuck Spicuzza seat for the remainder of his term which expires at the end of the year.

MR. S. SHURGOT: are there any other nominations.

MEMBERS VOTED APPROVAL, 6-0 TO APPOINT MR. JAMES FILIA TO FILL MR. CHARLES SPICUZZA'S SEAT FOR THE REMAINDER OF HIS TERM.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

MAYOR D. POMPOSELLI: are we following the right procedure. In the past we haven't done it this way.

MR. G. EVASHAVIK: yes, it can be filled immediately. It has to be done in thirty days or it goes to the vacancy board. You can do it instantly or you can wait and do it later. The Borough Code states that once the resignation is accepted Council has thirty days to fill the position.

MR. S. SHURGOT: Mr. Filia, you can have a seat up here but you cannot vote on anything until you are sworn in.

COMMITTEE REPORTS

PUBLIC SAFETY - G. JAKUB: for the month of April the Fire Department responded to 21 calls of which 8 were in Wilmerding. They had one in house training and on community detail which was for the Easter Egg Hunt. For the month of April the ambulance had 35 transports, 5 stand by and 49 calls. The average response to an emergency call was 5.7 minutes.

FIRE MARSHAL - D. MILLER: I reviewed the occupancy inspection ordinance and I will speak with the Solicitor to see if we can amend them. Conducted several occupancy inspections and created a new occupancy inspection permit and temporary occupancy inspection permit.

MR. S. SHURGOT: Emergency Management had a meeting today about the H1N1 virus (Swine Flu). What people have to remember at this point is that there are not as many cases of this as the regular flu. People do not need to panic at this time. What they are looking for is, if you have a fever with one or more of the following; nasal congestion, runny nose, sore throat or cough. If you have any of these symptoms they are asking you to stay home. Clean your hands constantly. Take the same precautions as if you had the flu. What they also said is that it is affecting younger people more than older ones. If you had a flu shot it would help your risk of getting it.

MR. M. TRKULA: did we get a letter from the Fire Department about going to parades.

MR. G. JAKUB: not yet. I informed them that need to get a letter to us.

M. TRKULA / K. PETERSON THAT NO ONE UNDER THE AGE OF FOURTEEN BE ALLOWED TO RIDE ON EITHER ENGINE TO PARADES. IF THEY WANT, THEY CAN PUT THEM IN THE SQUAD OR SERVICE TRUCK WITH THE PROPER SEATING. MEMBERS VOTED APPROVAL, 6-0.

CODE ENFORCEMENT - S. SHURGOT: everyone has a copy of Amy's report.

PUBLIC WORKS - J. THOMAS: they worked 393 hours for the month with a payroll of \$4,681.19. They drove a total of 1,014 miles at a cost of \$365 for fuel. We purchase \$217.50 worth of supplies. We are waiting on the contractor to come out and take care of the Shaw Avenue garage. We also looked at the George Street stop and we will have a further report down the road. It looks like we may have to close them. I have supplies for our clean up days from Allegheny Cleanways. Clean up is May 16th & 17th.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

MS. K. PETERSON: for larger items that people can't to the dumpster, what can they do.

MR. M. TRKULA: have them call their neighbors.

MR. S. SHURGOT: as I remember, in years past we had a time set where the street department would ride around. The street department had very little need to go around. What we suggest is that if they had something big to call and schedule a pick up. It is up to you if you want them to do that.

MR. M. TRKULA: the majority of stuff that they would put out the garbage men would take it. Say somebody put a couch out, the garbage men would have taken that Friday. Most of what we picked up the garbage men would have taken.

MS. K. PETERSON: for the things that they won't and for the older people, can I tell them to call and someone will come and pick the stuff up.

MS. S. SMITH: how long will we have the dumpsters.

MR. M. TRKULA: they will drop them off Friday and we will have them for the weekend.

MS. S. SMITH: if people, like the elderly, would have items that they can't bring to the dumpster, can't they call the borough building and can't we help them on Friday so that they are not out on the weekend.

MR. S. SHURGOT: we cannot go and take them out of their house.

MS. K. PETERSON: if someone calls and puts it at the curb we can pick it up.

MR. M. TRKULA: if they held it all year, why are they concerned about getting it out now.

MR. G. JAKUB: what has happened is that basically we wasted payroll money to have two guys come out on a weekend and just drive around the streets. I have to agree with Mike, if they have a couch or a stove the garbage men will pick that up on a routine basis. How about if we have one day only for a pick up.

MR. J. HARTZELL: can I comment on this. I think we are getting away from a community clean up. The idea is to clean up the community. This is for the residents to go out and pick up trash and to sweep the streets in front of their homes. This is why they give us the bags and gloves. That is the basis of a community clean up.

MR. G. JAKUB: right. That is why they want to do it on Earth Day. It didn't work last year.

S. SMITH: didn't the guys take a day off through the week when they worked the weekend for clean up day.

MR. G. JAKUB: we talked about it but I don't think we did that.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

K. PETERSON / S. SMITH TO CALL THE BOROUGH BUILDING BY FRIDAY FOR PICK UP OF LARGE ITEMS ON SATURDAY ONLY. ROLL CALL: M. TRKULA, no; K. PETERSON, yes; S. SMITH, yes; G. JAKUB, yes; J. THOMAS, yes; S. SHURGOT, yes. MOTION PASSED TO HAVE THE RESIDENTS CALL BEFORE FRIDAY FOR SATURDAY PICK UP, 5-1.

COG REPORT - G. JAKUB: at the last meeting on April 23rd there is an invitation to the next meeting on May 28th for any council member who would like to attend that meeting. After the meeting there will be a social mixer and an open group discussion. The meeting starts at 6:30 p.m. in the Turtle Creek Community Room. On April 27th we were hoping to attend an earned income tax educational session. Unfortunately, the gentleman that was going to give the session, which is a three part session, decided that he wasn't going to give it for ten people. To attend one of these now it will cost \$20 per person. Eventually, we are going to have to declare somebody to be on this committee and there is going to be a whole lot of changes on how our earned income tax is collected. COG needs to know by the 23rd how many people are going to attend. Let Joe know so he can call Amanda.

UTILITIES - M. TRKULA: no report.

SOLICITOR - G. EVASHAVIK: I already covered everything.

ENGINEER: not present

FINANCE - J. THOMAS:

J. THOMAS / K. PETERSON TO PAY ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 6-0.

BOROUGH PROPERTY - M. TRKULA: we are in the preliminary stages of shutting down the George Street steps. They are not safe at this time.

RECREATION - S. SMITH: the Easter Egg Hunt was a success. The movies are canceled until the auditorium is cleaned. We are working on National Night Out which will be on August 4th. The next event will be Memorial Day with services in the park beginning at 8 am on May 25th. We also would like to ask for a \$300 donation for our Easter Egg Hunt activities.

MR. J. THOMAS: we really don't need money, do we.

MS. S. SMITH: we have about \$600. Are you going to wait until I get down to zero. I don't operate that way. I would like to have the donation, or the line item money, if it is available, transferred into the checking account.

MR. G. JAKUB: when is the next function.

MS. S. SMITH: the next function is Memorial Day. We plan on having coffee and donuts there.

MR. M. TRKULA: not \$600 worth.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

MS. S. SMITH: whatever, that is my request. I will take the \$300 of my line item.

MR. M. TRKULA: for what.

MS. S. SMITH: the Easter Egg Hunt.

MR. M. TRKULA: I am just asking a question just like everybody else. There is \$600 in t here and Sandy wants \$300 for coffee and donuts. Am I hearing this right.

MS. S. SMITH: you are hearing it wrong. It is for the Easter Egg Hunt which cost well over \$300.

MR. M. TRKULA: do we give \$300 for every event.

MR. S. SHURGOT: yes, \$1,200 a year we budget. There is \$300 for each of the four events.

MAYOR D. POMPOSELLI: if she runs across a bargain she wants to be able to buy it.

MR. J. FILIA: what are the four events.

MR. S. SHURGOT: Easter, National Night Out, Halloween and Christmas.

MS. S. SMITH: plus we do Oktoberfest.

S. SMITH / K. PETERSON TO DONATE \$300 TO THE RECREATION COMMITTEE FOR EASTER ACTIVITIES. MEMBERS VOTED APPROVAL, 6-0.

NEW BUSINESS

M. TRKULA / J. THOMAS TO APPOINT DAVE MILLER AS ACTING BCO AND TO SEND HIM TO CLASS AND THE BOROUGH WILL PAY HIS EXPENSES. MEMBERS VOTED APPROVAL, 6-0.

MR. D. MILLER: I will be attending the class on June 16th and 17th in Scranton and there will two nights lodging.

M. TRKULA / K. PETERSON TO HIRE TWO OF THE KIDS WHO WORKED HERE LAST YEAR DURING THE SUMMER. THEY ARE ANDREW TYLKA AND JONATHAN TRKULA AT A RATE OF \$7.15 AN HOUR.

MR. G. JAKUB: there is an issue. If Mike is going to be out with surgery, we have to watch how much money we are going to put with these kids.

MR. S. SHURGOT: there is no guarantee how many hours or how long they are going to work.

MS. S. SMITH: you bring back the people from last year. Do we have any new applicants that you may want to consider.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

MR. J. HARTZELL: we have two other ones, one from Monroeville and one from East McKeesport.

MEMBERS VOTED APPROVAL TO HIRE A. TYLKA AND J. TRKULA AT A RATE OF 7.15/HR., 6-0.

MR. S. SHURGOT: just a reminder about the Memorial Day Services in the park on the 25th starting at 8 am.

MR. M. TRKULA: the workshop is scheduled for election night.

MR. S. SHURGOT: do you want to have it on the 20th or the 27th.

MS. K. PETERSON: the 20th is fine with me.

MR. S. SHURGOT: the workshop will be scheduled for Wednesday May 20th at 7 pm.

MAYOR'S REMARKS - D. POMPOSELLI: I want to make a comment on putting the two youngsters on. There will be no riding in the bed of the truck and no riding in the buckets of the backhoe. I told them last year and they still did it. If I see them I will hold the man in charge responsible.

NEW BUSINESS

G. JAKUB/ K. PETERSON TO HAVE OUR STREET DEPARTMENT WORKERS DO OUR CODE ENFORCEMENT UNTIL DAVE IS CERTIFIED AND WE WILL TELL THEM HOW SPECIFIC WE WANT THEM TO BE AT AN INCREASE OF ONE DOLLAR AN HOUR EFFECTIVE MAY 4TH. MEMBERS VOTED APPROVAL, 5-0-1 WITH M. TRKULA ABSTAINING.

S. SMITH / we need to act on the new fee structure that Dave recommended to us and also Amy requested a payment agreement form for delinquents.

MR. G. EVASHAVIK: this would not be effective until next year. Dave is only making a suggestion. In addition to having the ten units as a minimum number, you would also have to turn in the paper work for the rental license by January 31st. You can act on this now or you may want time to consider it but it won't take effect until next year. You may want to change the ten to an eight or five.

MR. S. SHURGOT: why don't we have two or three volunteers work with Dave on this.

MR. M. TRKULA: I will.

MR. G. JAKUB: I will help also.

MR. G. EVASHAVIK: he is also talking about changes to the occupancy ordinance. That is going to require a revision of the ordinance. You can instruct me to work on that to incorporate some of those changes. The only thing you can act on now is the permit fees.

BOROUGH OF WILMERDING
MINUTES OF THE MAY 4, 2009 REGULAR MEETING OF COUNCIL

MR. J. THOMAS: why can't we have them work on the fee structure too. We have temporary permit fees and a change in fee for businesses.

MR. D. MILLER: I just gave them tonight for you to look at and see what you want to change.

MR. G. EVASHAVIK: I will put together an amendment to the ordinance and give it to Council and they can look at. It will be a work in progress.

MR. S. SHURGOT: Mr. Filia you will be on the committees that Chuck was on.

Meeting adjourned at 8:28 p.m.