

BOROUGH OF WILMERDING  
MINUTES OF THE AUGUST 3, 2010 MEETING OF BOROUGH COUNCIL

The meeting was called to order at 6:30 p.m. by President Stephen Shurgot.

The Pledge of Allegiance was led by the President.

ROLL CALL: MICHAEL TRKULA, present; JAMES FILIA, present; KAREN PETERSON, present; SANDRA SMITH, present; GREGORY JAKUB, present; JOHN THOMAS, present; STEPHEN SHURGOT, present. Mayor DOMINICK POMPOSELLI was also present.

M. TRKULA / G. JAKUB TO ACCEPT THE MINUTES OF THE JULY 13, 2010 MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 7-0.

PETITIONS & MEMORIALS

MS. M. CHRIST, COMMERCE ST., 9-C: the people in the Faller Building are dropping their garbage out of their window. This is coming from the fourth floor.

MR. S. SHURGOT: you can contact our code office and report that to them.

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MS. P. FIEDOR, COMMERCE ST., 7-F: I have a question concerning the firemen. We had smoke on the seventh floor and no whistle went off and I heard about it through word of mouth. I had to walk up all the steps to get to my floor to see if it was my apartment. It was the one next to mine. This was on July 30<sup>th</sup> around 5pm.

MR. S. SHURGOT: the fire department came and the whistle did not go off because they are electronically alerted. What is the problem.

MS. P. FIEDOR: I cannot smell too good and I cannot tell if it is smoke or gas. To be cautious I call the fire department and they come and check it. This last time I was upset on the way the firemen acted and I tried to talk to the Chief but I cannot find him.

MR. S. SHURGOT: we will have the Fire Chief see you tomorrow.

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CORRESPONDENCE

1. received a letter from the East Allegheny Football Boosters asking if the borough would sponsor a banner to be hung at the football stadium. Since we are a past contributor the cost would be \$50.

K. PETERSON / J. THOMAS TO BUY FROM THE E.A. FOOTBALL BOOSTERS FOR \$50.  
MEMBERS VOTED APPROVAL, 7-0.

2. received a notice for SHACOG concerning the salt bid for the 2010-2011 winter season. The low bidder is Morton Salt at a price of \$51.40 per ton. This price is \$1.35 per ton lower than last season. To take advantage of this bid the borough must formally accept the bid and give notice to Morton before September 7, 2010.

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K. PETERSON / J. THOMAS TO ACCEPT THE LOW BID OF \$51.40 PER TON FROM MORTON SALT. MEMBERS VOTED APPROVAL, 7-0.

3. received a letter from a Mr. Patrick O'Leary who is the administrator of the property at 710 Middle Ave. This property is in poor condition and he has been attempting to sell the property. On June 25<sup>th</sup> a buyer agreed to purchase the property for \$2,000 "as - is". This property is on the list for demolition and he is asking the borough to grant a temporary occupancy permit and to rescind the paperwork for the condemnation so the buyer can begin work on the property.

MS. K. PETERSON: do we know if this buyer has renovated other homes. He says that the buyer has done this before but how can we be sure.

MR. G. EVASHAVIK: I talked to Mr. O'Leary on the phone about this and I told him that if he wanted to make a request to come to the council meeting. I told him that it is in the beginning stages of demolition and that we did not have a hearing on the property. We can not stop anyone from selling their property. I told him the Building Inspector would not give him an occupancy permit because it is in poor condition. I will talk to Dave Miller about this because it sounds like a good plan. It would be better if the owner can rehab the property.

MR. S. SHURGOT: you can get an building permit for about \$80 to buy a piece of property and you do not have to move anyone in. You need an occupancy permit for the sell.

MR. G. EVASHAVIK: we can have Dave Miller call this gentleman and explain the situation to him and the permits that he would need for closing. We can leave it on the grant application if this gentleman does not do any work to it.

MR. J. THOMAS: can we legally tell him that we want something done to make the building reasonably safe in six months.

MR. G. EVASHAVIK: if nothing is done to the building then you can cite the new owner under the property maintenance code.

MR. S. SHURGOT: a building permit is good for six months. We can have Dave keep a close watch on this property.

MR. G. EVASHAVIK: let the sell go through and then we will have the address of the new owner. If he does not bring it up to code then we can cite him.

COMMITTEE REPORTS

PUBLIC SAFETY - J. FILIA: Eastern Area Ambulance responded to 43 calls and 36 were transported. The average response time to emergencies was 6.43 minutes and for non-emergencies it was 7.09 minutes. I will turn it over to Chief DiCenzo to give the police report.

CHIEF V. DiCENZO: for the month of July there were 229 calls and 9 arrests.

FIRE MARSHAL - no report.

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CODE ENFORCEMENT - S. SHURGOT: everyone has a copy of Mr. Miller's report. He is working tonight and cannot be here.

PUBLIC WORKS - G. JAKUB: we have been working with the vac truck and it is done for now. It will be back later this year. We will be doing the cross walks and catching up on some grass and properties that are out of control.

MR. J. THOMAS: I have a question involving the vac truck and the invoicing of services. I have a copy of the invoice Amanda sent us for \$3,500. I am hearing reports that other communities are paying \$500 a month.

MR. G. JAKUB: I will check with Amanda on that. It could have been the ones that signed up originally when it was first offered.

RECREATION - S. SMITH: the Recreation Committee is hosting the night out activities tonight.

Under old business I have talked to the people at Auberle on getting some help. Everything is all set up but we still have to meet with them to finalize this. We had some meetings scheduled but had to cancel them for one reason or another. That project is still pending. They are fully insured and they provide a supervisor and there is no cost to the borough. They asked if we could provide refreshments for them and I didn't see a problem with that.

MR. J. FILIA: is the problem that you work doing the day and cannot meet with him.

MS. S. SMITH: that is part of the problem.

MR. J. FILIA: can someone else meet with him who is available during the day like Steve, John or myself.

MS. S. SMITH: I will talk to you or Johnny and I will talk to the supervisor. He would need someone to show him the streets because he is not familiar with the town.

ENGINEER - D. GILLILAND:

work is nearly complete on the Safe Route to School Project and it should be completed by August 6<sup>th</sup>. The only thing left to do is put the lights up and they are waiting for them to come in. PennDOT wanted me to alert Council that there is a slight possibility of a funding shortfall due to the cost of asphalt restoration along the edge of the road. In talking to the inspector there he seems that will not happen and the funds should be adequate.

the Morningside Sewer Project should be underway within the next two weeks and be completed by August 31<sup>st</sup>.

the TV inspection of Sewer Projects has been awarded and should commence in late August.

COG REPORT - G. JAKUB: no report, we did not have a meeting.

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UTILITIES - K. PETERSON: no report.

SOLICITOR - G. EVASHAVIK: you have received notice from your insurance carrier that they have assigned the law firm Marshall-Dennehey and I just want to comment on it. The borough is being sued by a Norfolk Southern train conductor who claims he fell on a borough sidewalk. He is suing the railroad company and Wilmerding Borough. It is in the early stages of litigation and if you have any questions feel free to ask me.

MR. G. JAKUB: what sidewalk did he fall on.

MR. G. EVASHAVIK: on Pitcairn Street where a jitney was waiting to pick him up after he finished his shift. He claims that there was ice and snow on the sidewalk.

MR. S. SHURGOT: the 979 ordinance, it regulates the conduct of the tenant. What do we have in place if the landlord does not follow the rules. For example, if a landlord moves someone in and does not get an occupancy permit. Are we able to cite him under Ordinance 979. I talked to Dave Miller and he doesn't think we can cite him under 979.

MR. G. EVASHAVIK: have Dave call me and I will point it out to him where the violation is.

MR. G. JAKUB: in turn, can that also be construed as a strike.

MR. G. EVASHAVIK: yea, certainly. If you have landlords who repeatedly put tenants in without an occupancy permit, that can be a suspension of their rental license. The ordinance requires all landlords to follow all ordinances pertaining to property.

MR. S. SHURGOT: we have a bill here from a landlord for the use of his dump truck. It says that we owe him \$300 after deducting the rental license. We have no written agreement with him and some of the dates he has listed here we did not use the truck.

MR. G. JAKUB: he willing gave the keys to Cortazzo.

MR. S. SHURGOT: I will give this information to the Solicitor so that he can respond to this matter.

MR. J. THOMAS: a year or so ago we set up a program with Maiello to collect delinquent real estate and garbage. We are getting letters from them on the property that the borough owns. I was wondering from one attorney to another attorney to tell them that anything under the borough's name to not go through the paper work it is costing them money and we just ignore it. You know the problem we are having with property that the borough owns and it is marked taxable. Your brother has been to the county to try to get it exempt but prior years, in the fifties and sixties, it was taxable and I feel that we should not be liable for past taxes, penalties and fees.

MS. K. PETERSON: when they send out those delinquent notices they just have the lot and block number on it. I feel since they have the information on who owns it they should address it to the tax payer.

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MR. M. TRKULA: did we ever get the issue resolved on turning back the ballfield to the school district. We want to give them the deed back.

MR. G. EVASHAVIK: I haven't done anything with it because I was waiting for some direction on what Council wanted to do.

MS. K. PETERSON: if I recall, the Solicitor said what happens if they say they do not want it back.

MR. M. TRKULA: we don't want it either.

MS. K. PETERSON: we still have to put them on notice, one way or the other, and I thought that is what you were going to do. I thought that you were going to send them a letter to that effect.

MR. G. EVASHAVIK: I must have misunderstood what you wanted and I apologize.

K. PETERSON / G. JAKUB TO SEND THE SCHOOL DISTRICT A LETTER STATING THAT WE DO NOT WANT THE BALLFIELD ANY LONGER AND WE WANT TO GIVE THE DEED BACK.  
MEMBERS VOTED APPROVAL, 7-0.

PERSONAL - J. FILIA: no report.

FINANCE - J. THOMAS:

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

MR. J. THOMAS: our sewage account, we are going to have to try to get more funds in our surcharge account. We are in the red now and we are just going to get deeper in the hole. As everyone is aware, in December the general fund gave the sewage account \$40,000 to pay the ALCOSAN bill. The camera work scheduled for next month is going to cost another \$30,000, the Morningside sewer project is \$16,000 and the vactor program is another \$7,500. We just received the ALCOSAN bill for the quarter due in September and it is \$60,800. Right now we have \$47,000 in the sewage account and right now we have \$154,000 in bills. I contacted W.P.J.W.A. to find out where we were with our surcharge versus the other communities in their service area. At the present time our surcharge is \$1.50 per 1,000 gallons. Wilkins Township pays \$2.50 per 1,000, North Braddock pays \$3.00 per 1,000 gallons, Churchill pays \$2.50 per 1,000 and Chalfant pays \$4.50 per \$1,000 gallons. Now there is Braddock Hills, Pitcairn, Swissvale, Wilksburg and Turtle Creek who are at the same rate as we are or below us. I don't think we can continue at this rate, \$1.50 per 1,000.

MR. J. FILIA: how much do you want to raise it to.

MR. J. THOMAS: either fifty cents or one dollar.

MR. J. FILIA: how much more revenue will that bring in.

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MR. J. THOMAS: it depends on the usage. We get between \$20,000 and \$25,000 a quarter. The last time we raised it was in 2008 when I first got on because we were worried about 2009. If we raise it the increase will not be seen by the residents until December of this year or maybe into the next year because the water authority is always a quarter behind.

J. THOMAS / J. FILIA TO INCREASE OUR SURCHARGE ON SEWAGE \$1.00, FROM \$1.50 PER 1,000 GALLONS TO \$2.50 PER 1,000 GALLONS. MEMBERS VOTED APPROVAL, 7-0.

BOROUGH PROPERTY - M. TRKULA: we have a toilet downstairs that is not working and we have a gentleman coming out tomorrow to fix it.

PLANNING - K. PETERSON: nothing, we do not meet in the summer.

TAX COLLECTION COMMITTEE - J. THOMAS: on August 9<sup>th</sup> the committee is going to meet with the five companies and organizations that submitted proposals for the tax collection for the southeast area of Allegheny County then two weeks later we will vote on one.

MR. G. JAKUB: who are the five.

MR. J. THOMAS: Berkheimer, P.A.M.S., COG, Keystone Collections and Central Tax. We received the delinquents from Maiello and for the month of July for garbage we received \$1,294.73 and for real estate we received \$2,658.60 for a total of \$3,953.33. For the year they brought in \$23,407.46 in delinquents.

MR. G. JAKUB: what are our costs.

MR. J. THOMAS: there is no cost to us, all the fees are paid by the delinquent tax payer.

OLD BUSINESS

MR. J. FILIA: has the new owners of Glunt's old property paid anything on their garbage.

MR. J. HARTZELL: I haven't received anything from them and I am going to send an updated list to Maiello for them to collect it.

NEW BUSINESS

None

MAYOR'S REMARKS - D. POMPOSELLI: nothing at this time.

Meeting adjourned at 7:15 p.m.