

**BOROUGH OF WILMERDING  
MINUTES OF THE SEPT. 14, 2010 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; J. FILIA, present; K. PETERSON, present; S. SMITH, present; G. JAKUB, absent; J. THOMAS, present; S. SHURGOT, present.  
MAYOR D. POMPOSELLI was also present.

M. TRKULA / S. SMITH TO ACCEPT THE MINUTES OF THE AUG. 3, 2010 MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 6-0.

PETITIONS & MEMORIALS

MRS. S. ZIBRAT, AIRBRAKE AVE.: I am a member of the Historical Society and we received notice that Council wants us to get out of the borough building because they need space to store records. I am asking you to reconsider your decision because there is no other place for us to go.

I also want to ask you another question. We have a sex offender living on Middle Avenue and is there anything that can be done to stop him from walking his dogs down to the playground.

CHIEF V. DiCENZO: there are some restrictions on him but he has the same rights as any other citizen and we can't tell him not to walk his dogs.

MR. S. SHURGOT: does Council want to address the question on the Historical Society at this time.

MS. S. SMITH: can we table it until our workshop next week.

MR. S. SHURGOT: we will discuss it at the workshop next Tuesday.

MR. J. FILIA: I will not be here I will be away.

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MR. T. LOCKE, WELSH AVE.: I have some correspondence regarding the same issue about the Historical Society. I gave Mr. Hartzell a copy and I would like to read it quickly if it is alright with you.

I want to thank each one of you Council members for your public service. God know how much of your time is devoted to caring for this wonderful historic town of Wilmerding. I am a member of the Historical Society and I appeal to this Council gathered together today to reconsider your decision to remove the Historical Society from the Wilmerding Borough Building. The room at the castle given to us is only a temporary location for some of the Historical Society's assets. Wilmerding Renewed is now asking the Historical Society for money to pay for lighting expenses. It is reasonable to expect that some time in the near future that W.R.I. may request a rental fee for the room we occupy at the castle. It would become necessary to move back into the borough building if this situation occurs. Please consider that Council is given a trust by all of us living in Wilmerding to care for the welfare of this wonderful town. Please take time to consider what we members of the Wilmerding Historical Society are to think of town councils actions to fully remove our organization from the location you have already given over to us long ago. We need each of you to consider working together with the Historical Society as we definitely need room you have asked us to abandon. You would not only be supporting a group of people who realize the importance of history in Wilmerding, you are caring for the whole town. I need not tell each

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of you how much hard work it is with any organized group of people to give their time, talents and money to keep the ball rolling to become a better town in the future that we have been in the past. Please don't ABANDON the Historical Society. Thank you for your consideration and may God bless each of you for your service to the town of Wilmerding.

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MS. G. HOMITZ: WESTINGHOUSE AVE.: the Chairman of the Historical Society is out of town and she submitted a letter to Council as well as other members concerning the vacating of the room at the borough building.

Also, I called the police station on Saturday and told them that there would be a truck parked by my house on Westinghouse for one week. She told me that the computer does not take that information, it doesn't have the capacity. I told her that I just wanted to let you know in case someone would call and say it was a stolen car. I told her that when I was Mayor our police wanted to know that information.

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MS. A. M. TUCKER, LYDIA STREET: is the 979 ordinance still in effect that after three calls the tenant would have to leave and they could not rent any more.

MR. S. SHURGOT: after two times they would get a letter.

MS. A. M. TUCKER: when I just left my house the people at 244 Card Avenue had the music so loud it was rattling the windows. I call the police everyday and they probably have about five or six 979 violations. Why didn't they get a letter.

MR. S. SHURGOT: the code office get the reports from the police department and they keep a file on every rental unit and if there are two violations they are to send a letter out.

MS. A. M. TUCKER: why do we have to call the police every single day.

MR. S. SHURGOT: every time you see something you should notify the police. It is unfortunate that it is continuing. We talked about this before the meeting and John is going to talk to the code office on Monday since she is on vacation.

MS. A. M. TUCKER: who is supposed to be doing this.

MR. S. SHURGOT: Louise Walker would be sending the letter from our code office.

MS. A. M. TUCKER: after three times then what is the process.

MR. G. EVASHAVIK: she sends a letter to the property owner, the landlord, informing them that they have tenants who are in violation of this ordinance and what are they going to do about it. A response form is sent with the letter and the landlord has to return the form stating that they have received the notification and here is the action I am going to take to get my tenants under control. If that doesn't work then thru a series of notices then we will compel through a notification to the landlord to begin the eviction process of the tenants. These eviction notices have to take place first. It is not something that is going to happen overnight or in a few weeks, it takes time. If we get to that point where the landlord agrees that the tenant needs to be evicted and has made efforts and the tenant refuses to leave, then

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the landlord has to go to the Magistrate and start the process there. It typically takes a couple of months to have the hearing.

MS. A. M. TUCKER: the property manager is not aware of what is going on in the house. There are eight people living in that house.

MR. G. EVASHAVIK: the police enforce the crimes code, we are talking about a civil matter. They are in violation of our ordinances. Continue to call the police if there are problems so that they can be logged.

MR. J. THOMAS: Chief, can your officer issue a disturbance of the peace.

CHIEF V. DiCENZO: it has already been done and citations have been issued.

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MR. H. SLACZKA, CARD AVE.: I am here to shed some light on the events that transpired since we seen an influx of a certain number of new tenants in our community. A couple of weeks ago my home was burglarized in broad daylight, between twelve-thirty and two o'clock in the afternoon. They broke in through the air conditioning unit and managed to crawl through the small opening. It is ironic that this all happened within a few days of the new tenants moving in on the street. My question to all of this is, I do not know what the procedure is concerning the code office, but how can eight adults move into a single house with three bedroom units. If we are going to exercise some type of control in this community then I think we are going to have to be more strict.

MR. S. SHURGOT: to do that we would need a full time code officer. We have a part time code officer and to make it full time is cost prohibitive to this borough. We got chewed out because we raised taxes to keep the services at the level we have. To do that there would have to be a tax increase. I agree with you one hundred percent that it is out of control.

MR. H. SLACZKA: I have heard this story for four years. My friends and I, from 1965 to 1980, were involved in the Community Development Block Program, Model Cities. There were millions of dollars spent in this community to make it the best in the valley. We are losing that distinction. If we are going to plead poverty as a defense for trying to preserve our community, then I would say that you are penny wise and pound foolish. Our property values are going to erode to a point where they are going to be useless. If we don't do something and do it soon we will be heading into the direction of Braddock. It is not just these itinerant people coming into town but it is the total disregard of some existing property owners and the maintenance of their property. We are starting to look like trailer park trash. I don't appreciate being here this evening and embarrass anybody, that is not my intention. I am here for one reason. If we can't get our minds together and rally some people together and start working and start implementing, which I think is the first step in that direction, which is the implementation of that new ordinance., Ordinance 979. The Strategic Plan for Wilmerding, which was completed about five years ago. There are tremendous recommendations in there and utilizing this plan, in tandem with 979, will go a long way in correcting the serious flaws in this community. My home is my main asset and my asset is in danger. The property owners need to start taking care of their property. This town is dirty and we have to chase after people and clean up after them. When are we going to get hard nosed about this thing and stop talking about people's rights and start talking to them about their responsibilities. I thank you for your patience.

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MR. P. LIVERATTI, AIRBRAKE AVE.: what would it take to make the Code Officer full time.

MR. S. SHURGOT: 2,080 hours for the year.

MR. P. LIVERATTI: I received two letters for irregularities for my property. One was certified mail and they both came the same day. Who is supervising this.

MR. S. SHURGOT: the way it works, you have to send one letter regular mail and one letter registered mail. If they refuse to sign the registered mail and the other one doesn't come back then that is proof that the letter was received.

MR. P. LIVERATTI: why do you have to do two, that is a waste of money.

MR. S. SHURGOT: that is the way it is supposed to be.

MR. P. LIVERATTI: it doesn't have to be that, get the guy out on the job. Does he come around and check on the property now.

MR. S. SHURGOT: yes.

MR. P. LIVERATTI: what are the results.

MR. S. SHURGOT: you may disagree with me but I think some of the streets look better now than they did before. I think we have made great progress. We still have a long way to go. He is complaining to me that he is spending all of his time at the Magistrate prosecuting these people that didn't comply with the letters that they sent.

MR. P. LIVERATTI: does he have a list.

MR. S. SHURGOT: yes he does.

MR. P. LIVERATTI: how are we doing on garbage collection.

MR. J. THOMAS: since April they have collected \$5,869.52.

MR. P. LIVERATTI: what is the total in arrears.

MR. J. THOMAS: I would say in the neighborhood of \$20,000. There are some that are uncollectible because the people moved and there is no forwarding address.

MR. P. LIVERATTI: 710 Middle Avenue has been like that for the last five years and no one is doing anything.

MR. J. THOMAS: that is the house that they want to rehab.

MR. P. LIVERATTI: who wants to rehab it.

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MR. G. EVASHAVIK: we received a letter from Patrick O'Leary, the administrator of the estate of Mildred O'Leary, asking for patience from the borough because he has a person who is interested in buying the property, as is, for the intention of rehabilitating the property. It would be much better if the house was rehabed and brought up to code than having to tear it down. It would save us money to put towards another property.

MS. K. PETERSON: there is a time frame that we gave him to star work on that property. It still is on the list for demolition.

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REV. REEVES, CLARA ST.: we have a lot of children playing on Caldwell Avenue and I was wondering if you can put a stop sign on Lydia Street where it intersects with Caldwell. The children play at that corner and there are a lot of cars that come down Lydia and I am concerned that one of them may get hit by a car.

MR. S. SHURGOT: Dave, what do we have to do to get a stop sign there.

MR. D. GILLILAND: a traffic study would have to be done.

REV. REEVES: a few months ago I asked for a clergy sign to be installed.

MR. S. SHURGOT: I thought that was taken care of.

REV. REEVES: before the children went back to school I had a cook out in my backyard for the children and their parents. We had some activities for the children to do and we discussed a borough block party where the families can get together. What would I need to do for this.

MR. J. FILIA: send a letter to Council requesting that the street be blocked off and the date and times that this will occur.

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MS. B. BRADLEY, LYDIA ST.: from what I understand there is a sex offender living in Wilmerding and letters were sent out to the residents on the other side but we were not notified on this side of town. Was that something that the borough sent out.

CHIEF V. DICENZO: you can get that information from the web site under Meagan;s Law. We just have to notify twenty-five houses on either side of where the offender is staying. We also went a step further and notified the pre-school and the high school. We also have to notify the State Police of what steps we took.

MS. B. BRADLEY: since we are having a funding issue with the code office being full time. Is there any way that volunteers can do it.

MR. S. SHURGOT: keep calling the code office. The street department will take her around too look at these properties and she will send the letters out. Me personally, not speaking for the rest of Council, we did have an in town gentleman who was our code officer and it didn't work out. It is better to have someone from out of town who has no ties to anyone.

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MR. J. FILIA: Mr. Liveratti asked a question about cost wise. This past month for our part time code office cost us \$1,830. Just imagine what the cost would be if it was full time.

MR. P. LIVERATTI: what did he do.

MR. S. SHURGOT: we will give you a copy of his report.

One of the tasks we are trying to overcome as elected officials of this community and try to make it a better town. The fact is our forefathers didn't plan for a rainy day, the bridges, the sewers. We were fortunate to get a grant for \$320,000 for phase four and phase five for the sewers. ALCOSAN has some mandates that they have to do from the EPA and they pass the cost on to us and we have to come up with the money to do it. One of our tasks is to come up with the money to do the sewers that no one had the foresight, a hundred years ago, to think of.

Another problem we have was the shut down of industry in the Turtle Creek Valley. As people pass away or move to retirement homes their heirs have no reason to want to stay in Wilmerding. Therefore, these people have houses that they don't want and will sell it to anyone who will give them the price they want.

I rode down Caldwell Avenue in the afternoon and at the corner of Caldwell and Lydia, and God bless anyone that lives in that area, it is a nightmare. You cannot even get down the street with all the children in that area. We don't have the answers and we are looking for your help. We tried to get crime watch started and that fizzled. We have a lot of problems and the biggest problem is that people are selling their house and these landlords come in and do what they want to do, which isn't fair to you or me who try to maintain our homes. It may seem like nothing is working but just think of what would be happening if we didn't have the code office. Think back a couple of years ago and how bad it was. We are making progress. To have a full time code office would probably cost us a mill in taxes. To pay someone \$12 an hour, 2080 hours a year would cost us about \$30,000. Let us know what you want us to do. If you have any answers on what we can do please share them with us. I know at times it seems like we are not doing anything but you have to remember that this is a time consuming process.

CORRESPONDENCE

1. we have a resolution that we need to pass entering into an agreement with PennDOT in order to get reimbursed for salting Sprague Street. The agreement is for five years.

MR. J. THOMAS: that is the only street I see on their agreement. We would be getting \$350 and we have to salt it anyway.

M. TRKULA / K. PETERSON TO PASS THE RESOLUTION ENTERING INTO AN AGREEMENT WITH PENNDOT FOR FIVE YEARS FOR THE SALTING OF SPRAGUE STREET.  
MEMBERS VOTED APPROVAL, 6-0.

2. received a request from the East Boros' Hall of Fame to place an ad in their annual banquet book. The cost for an ad is \$25 for 1/4 page, \$50 1/2 page and \$100 for a full page.

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J. THOMAS / S. SMITH TO PURCHASE A ½ PAGE AD FOR \$50. MEMBERS VOTED APPROVAL, 6-0.

3. received numerous letters from the Wilmerding Historical Society members asking Borough Council to reconsider moving them out of the borough building.

Letters from Joyce Tomasic, President of the Historical Society and Dominick Parisi, a member of the Historical Society, were read. There were several other letters and they are all on file.

MR. S. SHURGOT: can we discuss this further at our workshop on Sept. 21<sup>st</sup> and we will give them an answer at our next meeting on Oct. 5<sup>th</sup>.

4. we have a resolution appointing Keystone Collections Group the newly appointed tax officer of the Southeast Tax Collection Committee to collect the 2011 income taxes pursuant to 53 P.S. \*6924.513 (b).

J. THOMAS / M. TRKULA TO ADOPT THE RESOLUTION APPOINTING KEYSTONE COLLECTION GROUP AS THE TAX OFFICER OF THE SOUTHEAST TAX COLLECTION COMMITTEE TO COLLECT THE 2011 INCOME TAXES. MEMBERS VOTED APPROVAL, 6-0.

4. Turtle Creek COG will be applying for grant funding through the EPA Brownfield Assessment Coalition Grant Program. This is the first step in returning these under utilized properties to productive use. The EPA has broadened its definition of brownfield to include many former commercial uses including gas stations and dry cleaners. There is no cost to the borough and they are asking us for a letter of support to the EPA and if we wish to participate and benefit from this program.

K. PETERSON / J. THOMAS TO PARTICIPATE IN THIS PROGRAM. MEMBERS VOTED APPROVAL, 6-0.

5. there is a proposed ordinance providing for the amendment of the Wilmerding Borough Occupancy Ordinances, adding a provision mandating notification of vacancy be provided to Wilmerding Borough.

K. PETERSON / J. THOMAS TO ADVERTISE THE ORDINANCE FOR CONSIDERATION AT OUR NEXT MEETING. MEMBERS VOTED APPROVAL, 6-0.

COMMITTEE REPORTS

PUBLIC SAFETY - J. FILIA: for the month of August the ambulance responded to 55 calls and their average response time for emergencies was 6.49 minutes and for non-emergency calls 9.22 minutes.

For the month of July the fire department had 18 calls with 74 man hours and 1 training detail for 30 man hours. For the month of August they had 16 calls with 56 man hours and 1 training detail for 30 man hours and 1 community detail. The Chief will give the police report at this time.

CHIEF V. DiCENZO: for the month of August we responded to 223 calls. I will give you a brief summary of the calls. We had 4 animal and dog complaints, 2 assaults, 3 burglaries, 9 criminal mischief, 11 domestics, 1 drug investigation, 7 harassment, 11 juvenile related calls, 1 neighbor dispute,

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9 thefts, 3 suspicious persons, 3 parking complaints, 10 suspicious activity and incidents and 3 traffic accidents. There were 15 arrests for the month.

CODE ENFORCEMENT - S. SHURGOT: everyone has received a copy of his report.

PUBLIC WORKS - S. SHURGOT: no report, he is still at work.

ENGINEER - D. GILLILAND:

the Safe Route to School Project has been completed.

the Morningside Sewer Repair Project has been completed.

the TV Inspection of Sewers Project has been awarded and should commence within the next 3 - 4 weeks.

sent PennDOT a letter requesting that they repair their wall along Maple Avenue and consider replacing the entire wall.

MS. K. PETERSON: I have a copy of our guide to grants and there is some information that says we may be eligible to purchase equipment.

MR. D. GILLILAND: give me a list of the equipment you are looking for and what grant it is.

COG REPORT - S. SHURGOT: there was no meeting due to summer recess.

UTILITIES - K. PETERSON: no report.

SOLICITOR - G. EVASHAVIK: you already have acted on the proposed ordinance.

PERSONAL - J. FILIA: no report.

FINANCE - J. THOMAS:

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

there is pending legislation in the State of Pennsylvania, Senate Bill 900, to arm municipalities against slum lords. It is going to give governing bodies a bigger clout to deal with these absentee slum lords. If anyone talks to their legislators ask them to support Senate Bill 900

we get a notice every time someone files an assessment appeal. Recently we have been sending our Solicitor to court to attend these hearings. You would not believe these people who buy these properties at sheriff sale or foreclosures. Say that it has a value of \$50,000 and they buy it at sheriff sale for \$10,000, they go to the assessment hearing and say that they want an assessment of \$10,000 because that is all they bought it for. We are fighting all of these and we haven't heard back on what the outcome

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was at the hearing. If they keep lowering these assessments we still have to come up with the revenue to operate and in the long term the taxes would have to be raised.

MR. S. SHURGOT: the school district and the county are not taking any initiative to try and fight this. You would think that the school district would get involved with this because they have the most to lose.

BOROUGH PROPERTY - M. TRKULA:

M. TRKULA / TO BUY A LEAF SUCKER MACHINE FOR \$5,999.

MS. K. PETERSON: is this something that we can get with grant money.

MR. M. TRKULA: we need it now.

/ J. FILIA SECOND THE MOTION.

MS. S. SMITH: do we have the money for this.

MR. J. THOMAS: I would say right now, yea. I don't know what other money is going to come in. All of our revenue is down. I know it is needed to keep the borough clean. They have one of those in East McKeesport and it does a wonderful job.

MEMBERS VOTED APPROVAL, 6-0.

M. TRKULA / S. SMITH TO REPLACE THE FLOOR IN THE BACKHOE AT A COST OF \$1,500. THE WORK WOULD BE DONE BY MIKE SMITH WHO DOES THE BOROUGH WELDING. MEMBERS VOTED APPROVAL, 6-0.

RECREATION - S. SMITH: the committee is going to hold off on setting a date for Halloween until we check with the other communities in the area to see when they are having theirs. It sounds like it is going to be on Saturday.

I would like to ask for \$300 donation for National Night Out.

MR. J. THOMAS: we can do that.

PLANNING - K. PETERSON: we will be meeting at the end of the month.

TAX COLLECTION - J. THOMAS: since we have adopted the resolution to have Keystone Collections collect the wage tax, everyone would be paying their wage tax to Keystone Collections, which already does the school, effective Jan. 1, 2011. They were voted on at the August meeting. We had the option of going in for 2011 and the larger municipalities will probably go in for 2012. We still need to appoint someone to collect our other three taxes, the mercantile tax, the local services tax and the deed transfer tax. We will discuss that at the workshop.

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OLD BUSINESS

None.

NEW BUSINESS

MR. M. TRKULA: can we look into getting some part time drivers for the winter.

MR. S. SHURGOT: the personal committee can take a look at that.

MR. J. FILIA: we have some applications that we can look at.

MAYOR'S REMARKS - D. POMPOSELLI: the police department is doing a good job, the street department is doing a good job and Council is doing a good job. Keep it up.

Meeting adjourned at 8:35 p.m.