

BOROUGH OF WILMERDING  
MINUTES OF THE APRIL 5, 2011 REGULAR MEETING OF COUNCIL

The meeting was called to order at 7:35 pm by President Stephen Shurgot.

The Pledge of Allegiance was led by the President.

MR. S. SHURGOT: Council met in executive session prior to the meeting to discuss personnel matters.

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

M. TRKULA / J. FILIA to accept the minutes of the March 1, 2011 meeting as presented. Members voted approval, 6-0.

PETITIONS AND MEMORIALS

MS. M. COHEN, AIRBRAKE AVENUE: how would I propose a new ordinance. I live in a duplex and the other half is a rental property where the landlord does not allow smoking in the house. They smoke outside and I can't even sit on my porch because of the smoke coming over. We have health problems and we should have the right to enjoy our own porch. I asked them to not smoke on the porch, because it is an enclosed porch, and I also talked to the landlord about this. It is not fair that we cannot enjoy sitting out on our porch this summer. Is there anything that you can do to protect our rights as non smokers.

MR. S. SHURGOT: I understand that they are violating your right to enjoy your own property but they also have the right to smoke outside.

MR. G. EVASHAVIK: the borough has no authority to regulate private property. .

MS. M. COHEN: even though we share a common area.

MR. G. EVASHAVIK: there is nothing that we can do.

MS. M. COHEN: other states are doing it and I will look into this to see how they did it. I understand that smoking is not covered under the constitution but I should be able to sit and enjoy my property. I will take them to court if I have to.

MR. G. EVASHAVIK: like I stated before, there is no authority given to boroughs to regulate smoking on private property.

MS. M. COHEN: other states have done it.

MR. G. EVASHAVIK: not in Pennsylvania.

MS. M. COHEN: I will try to get copies of the other ordinances.

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MR. G. EVASHAVIK: I would be happy to review them. We have to do what the State law says and they only prohibit it in public places.

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MR. A. FRYDRYCH, WELSH AVE.: someone knocked out the curb on Wood Street and water is coming over the hill and it is washing the hillside down.

MR. S. SHURGOT: we will have our guys take a look at it.

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MR. P. LIVERATTI: several months ago you said that the signs on the hillside were illegal without a permit from the County and they were told to take them down.

MR. S. SHURGOT: we asked them to take them down.

MR. P. LIVERATTI: why. There are a lot of signs up there now that do not have a permit.

MR. G. EVASHAVIK: political signs are allowed but they have to be removed after the election.

MR. P. LIVERATTI: there are other signs there that are not political but do not have a permit.

MAYOR D. POMPOSELLI: we asked them to give us permission to regulate what goes up there and they didn't respond to our request.

MR. G. EVASHAVIK: there was concern by Council that it was becoming an eyesore and they wanted the County to give them permission to regulate the signs. They sent the organizations a letter to remove the signs if they did not have a permit from the County.

MR. P. LIVERATTI: what about all the other signs.

MR. G. EVASHAVIK: that is not under our direct control.

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K. PETERSON LEFT COUNCIL CHAMBERS AND WAS EXCUSED BY THE CHAIR AT 7:46 P.M.

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MR. JEFF FILIA: I just wanted to introduce myself and to let you know that I am running on the Democrat and Republican ticket for the local Magistrate's position. Many of you may know me since I used to be a police officer here in Wilmerding. I would like to thank you for your time.

CORRESPONDENCE

1. received a notice from the Allegheny County Borough's Association on their annual General Membership meeting to be held on May 19, 2011 at the Wildwood Golf Club. The designated voting delegate and alternate for each borough are invited to attend at no cost. All others may attend at a cost of \$25.

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J. THOMAS / M. TRKULA TO SEND THE DELEGATES TO THE MEETING . MEMBERS VOTED APPROVAL, 6-0.

2. the Police Pension CD is up for renewal. The maturity date is April 12<sup>th</sup>. The rate has not been set yet but the amount of the CD right now is \$150,000.

MR. J. THOMAS: in talking with Joe he feels that we should renew it for six months at \$140,000 and put the other \$10,000 into the savings account.

MS. S. SMITH: can we get a better percentage somewhere else or is it convenient to stay there.

MR. J. THOMAS: that is part of the loan from Compass.

S. SMITH / M. TRKULA TO RENEW THE POLICE PENSION CD FOR \$140,000 FOR SIX MONTHS MEMBERS VOTED APPROVAL, 6-0.

COMMITTEE REPORTS

PUBLIC SAFETY - J. FILIA: Eastern Area Ambulance responded to 49 calls in March with an average response time of 6.9 minutes for emergencies and 7.1 minutes for non emergencies. For the first quarter of 2011 they responded to 149 calls with an average response time of 7.2 minutes for emergencies and 7.9 minutes for non emergencies.

It seems that we are getting less of the 979 reports each month.

CHIEF V. DiCENZO: for the month of March the police department responded to 174 calls and made three arrests. A brief summary of the calls are as follows: 1 animal and dog complaint, 4 burglary calls, 1 civil complaint, 1 criminal mischief, 5 domestics, 4 drug investigations, 3 harassment, 1 hit and run, 5 suspicious activities and 2 traffic accidents.

MR. J. FILIA: there was a gentleman who was arrested for counterfeiting who lives in Wilmerding. I just want everyone to be aware of this that there may be some bad twenty dollar bills out there.

SOLICITOR - G. EVASHAVIK: the borough received two environmental covenants for WABTEC and Thomas Real Estate Holdings. These covenants have been recorded and it limits the use of this property. The covenant has been approved by the PA. DEP. There were underground storage tanks which contaminated the soil and groundwater. This property is subject to the following activities and limitations. It shall be used solely for nonresidential purposes. The groundwater at and under the property shall not be used for potable purposes or agricultural activities. Any future building constructed within the area of soil and/or groundwater impacted must either incorporate a vapor barrier or a soil gas mitigation system. All excavated materials removed from the property shall be managed, transported, and disposed in compliance with all applicable federal, state and local laws regulations and ordinances. These limitations are included in any future deed.

PERSONNEL - J. FILIA: we received three applications and there is one on the way for summer help on our public works. The applicants are Dominic Meyer, Jonathan Trkula, Cameron Gantt and Cody Tokarsky.

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S. SMITH / J. FILIA TO HIRE ALL FOUR APPLICANTS AT \$7.25 AN HOUR. MEMBERS VOTED APPROVAL, 5-0-1 WITH M. TRKULA ABSTAINING.

MR. J. FILIA: our committee met and we would like to terminate a part time employee and hire another one. The part time employee who is being terminated is Mr. Steve Pattakos.

S. SMITH / J. FILIA TO TERMINATE MR. STEVE PATTAKOS AS A PART TIME EMPLOYEE. MEMBERS VOTED APPROVAL, 5-0-1 WITH M. TRKULA ABSTAINING.

MR. J. FILIA: the person we are going to hire is Mr. Brandon Steining. He has worked here part time in the past.

S. SMITH / J. FILIA TO HIRE MR. BRANDON STEININGER ON A 90 DAY PROBATION PERIOD AT \$10 AN HOUR EFFECTIVE IMMEDIATELY. MEMBERS VOTED APPROVAL, 5-0-1 WITH M. TRKULA ABSTAINING.

FINANCE - J. THOMAS:

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

MR. J. THOMAS: in February Maiello collected \$1,267.99 in delinquent garbage and \$603.25 in delinquent real estate. So far in 2011 they collected for us \$6,112.73. Last year they collected \$35,500. We also met with Mr. Maiello and they would like to go after the people that are ignoring their letters. We are going to go over the list on which ones we want them to file liens against.

BOROUGH PROPERTY - M. TRKULA: we are going to fix the lights in the public works garage.

RECREATION - S. SMITH: the Easter Egg Hunt is scheduled for Saturday April 23<sup>rd</sup>. Registration will be at the park starting at 10:30 a.m. for children under age 10. Also, our spring clean up is scheduled for Friday, Saturday and Sunday April 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup>.

TAX COLLECTION COMMITTEE - J. THOMAS: we did not have a meeting last month. The committee is still negotiating with Keystone Collections. Our next meeting is April 28<sup>th</sup>.

OLD BUSINESS

None

NEW BUSINESS

S. SHURGOT: we have a position to fill on the Vacancy Board. Mr. Cortazzo was on that board and he has passed away.

M. TRKULA / J. THOMAS TO APPOINT ANTHONY FRYDRYCH TO THE VACANCY BOARD. MEMBERS VOTED APPROVAL, 6-0.

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MR. S. SHURGOT: is it okay if we move the workshop on April 19<sup>th</sup> to 7:30 p.m.

No objections.

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

Meeting adjourned at 8:07 p.m.