

BOROUGH OF WILMERDING
MINUTES OF THE MAY 1, 2012 REGULAR MEETING OF COUNCIL

The meeting was called to order by President Stephen Shurgot at 7:44 p.m.

The Pledge of Allegiance was led by the President.

MR. S. SHURGOT: Council met in Executive Session on some legal matters and personnel issues.

ROLL CALL: MICHAEL TRKULA, present; REV. DOROTHY REEVES, present; KAREN PETERSON, present; SANDRA SMITH, present; JOHN MASON, present; JOHN THOMAS, present; STEPHEN SHURGOT, present. MAYOR DOMINIC PARISI WAS ALSO PRESENT.

REV. D. REEVES / M. TRKULA TO ACCEPT THE MINUTES OF THE APRIL 3, 2012 AS PRESENTED. MEMBERS VOTED APPROVAL, 7-0.

PETITIONS & MEMORIALS

MRS. S. ZIBRAT - AIRBRAKE AVE.: there is a lot of activity going on at 715 Middle Avenue. Does he own the house.

MR. G. EVASHAVIK: we spoke about this prior to the meeting. Mr. Mitchell bought the property for \$100 on April 3rd. I sent a letter to him reminding him that he was in attendance for the condemnation hearings and that the property will be razed subject to when the funds become available. He would have to get a court order to stop us. We are going back to court in June for 710 Middle Avenue.

MRS. S. ZIBRAT: how can he live there with no water and electric.

MR. G. EVASHAVIK: he does not live there. The letter was sent to an address in Pittsburgh.

MR. P. LIVERATTI - AIRBRAKE AVE.: last week we had the election downstairs. Doesn't anyone check the place out before you let anyone in.

MR. H. SLACZKA - CARD AVE.: what was the outcome of the March 25th hearing for 220 Card Avenue.

MR. S. SHURGOT: he appealed it downtown.

MR. H. SLACZKA: one of the neighbors up there told me that they saw about fifteen people come out of that house one morning.

MR. S. SHURGOT: we tried to prove to the Judge that it is operating as a hotel because we have no idea who is in the property.

MR. H. SLACZKA: that is a big problem in that neighborhood. There has been a lot of money spent in the past few years to bring Wilmerding up and be proud of. You have this house up there and people are going in and out of there without permission.

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MR. P. LIVERATTI: what are the inspector's duties. Who does he answer to.

MR. G. EVASHAVIK: he answers to Council but he is independent on his judgements concerning code violations.

MR. P. LIVERATTI: what are his daily hours.

MR. S. SHURGOT: he works part time. He is usually here on Wednesdays.

MR. P. LIVERATTI: I feel that he is not doing his job.

MR. J. MASON: I am going to have to disagree with you. I have been with him a few times when he was doing inspections.

MR. S. SHURGOT: we also have a police officer who checks on high grass and weeds.

CORRESPONDENCE

1. receive a letter from the Planning Commission, on behalf of Caldwell Station Associates, requesting that Council approve the combining of lots 546-B-315 and 546-B-318 into one lot for assessment purposes.

K. PETERSON / REV. D. REEVES TO COMBINE THE TWO LOTS, 546-B-315 AND 546-B-318, INTO ONE LOT. MEMBERS VOTED APPROVAL, 7-0.

COMMITTEE REPORTS

PUBLIC SAFETY - M. TRKULA: for the month of April the fire department responded to 13 calls. There were two training sessions and one member is attending essentials calls at the fire academy while two members are attending essentials at Westmoreland County Community College. One member is attending a structure burn class while five members are attending a swift water rescue and safe boating class.

For the month of April Eastern Area Prehospital Services responded to 63 calls and 43 were transports. Their average response time for emergencies was 7.2 minutes and for non emergencies it was 6.85 minutes.

CHIEF V. DiCENZO: for the month of April there were 204 calls and eight arrests. A summary of the calls were 7 criminal mischief, 10 disorderly conduct, 4 domestics, 6 drug investigations, 12 juvenile related calls, 5 parking complaints, 3 public intoxication, 3 thefts and 2 traffic accidents.

PUBLIC WORKS - J. MASON: the demolition is complete on Watkins Avenue and Westinghouse Avenue. The demolition of the house on Caldwell, which was done by the owner, is also complete.

There were two sewers cleaned out on Middle Avenue and one on Marguerite.

We are looking for summer help. Right now our guys are doing the best that they can.

We need to take some action on the completion of the salt bin. We do not have to put the roof on it now but we need to finish building it. They extended the time that we have to buy the salt until December 31st instead of June 30th. We received some bids to finish this and the low bid was from Barone for \$6,300 to pour the concrete pad. We still need to move some blocks and add more to the existing structure.

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J. MASON / TO AWARD THE CONCRETE DRIVEWAY PROJECT TO BARONE FOR \$6,300.

MR. M. TRKULA: that wasn't the lowest bid. There was a bid for \$6,000.

MR. J. MASON: that one came in after the date that we looked at the other ones.

MR. M. TRKULA: there was no set date for the bids.

MR. S. SHURGOT: since there was no set date and no specs for this project I think that we have to re-bid this project and notify all the bidders.

MR. G. EVASHAVIK: you need to set a date to get all the bids in.

K. PETERSON / REV. D. REEVES TO RE-BID THE CONCRETE DRIVEWAY PROJECT FOR THE SALT BIN WITH ALL THE PROPOSAL DUE BY MAY 31ST AT NOON.

MS. S. SMITH: also, make sure they all bid on the same size.

MEMBERS VOTED APPROVAL TO RE-BID THE PROJECT, 7-0.

ENGINEER

MR. S. SHURGOT: the Engineer gave us his report at the workshop. We have to award the bid for the electric in the park.

S. SMITH / J. MASON TO AWARD THE PROJECT FOR THE ELECTRIC IN THE PARK TO THE LOW BIDDER, L W LIMITED, FOR \$8,938. MEMBERS VOTED APPROVAL, 7-0.

COG REPORT - J. MASON: the UCC Board of Appeals has been put on hold due to some new litigation.

UTILITIES - REV. D. REEVES: no report.

MS. S. SMITH: last Friday there was a solicitor going door to door for an energy company, which they had a permit for. Who issues the permits to them and what are their hours. Also, last evening there was someone from Duquesne Light, who did not have a permit, selling home security systems.

MR. J. HARTZELL: I issued the permits for them. They were in Turtle Creek the week before and I checked with them to see if they were okay. They can only solicit Monday thru Friday from 9 am to 6 pm, no weekends.

MR. S. SHURGOT: anyone that solicits in Wilmerding must have a permit. Everyone should ask to see it and try to get their name and who they are soliciting for.

PLANNING - REV. D. REEVES: we already acted on the request from Mr. Slaczka.

MRS. J. TOMASIC: I called the Army Corps of Engineers about dredging the creek and the vegetation that is growing on the side. They told me that you do not need a permit to cut the vegetation but you cannot put them in the creek or have any machinery in the creek. Do you think that you can present this to COG as a project.

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MR. S. SHURGOT: I talked to East Pittsburgh and Turtle Creek and they said that they would go along with us on whatever it takes to clean the creek.

MR. M. TRKULA: the Planning Commission also brought to our attention about some serious water issues on Wood Street where the sewer is sinking and the street is starting to buckle. I am going to meet with Glenn Engineering tomorrow.

SOLICITOR - G. EVASHAVIK: the report was given at the workshop.

PERSONNEL - S. SMITH: we are going to table the applications that we received for summer help until the workshop.

FINANCE - J. THOMAS:

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

For the month of March our delinquent collector has collected \$2,160.74 in delinquent garbage and \$4,189.86 in delinquent real estate taxes. Since they started in April 2010 they have collected \$85,789 in monies that were owed to us.

BOROUGH PROPERTY - K. PETERSON: no report.

RECREATION - S. SMITH: we had our Easter Egg Hunt on April 7.

The committee would like a \$400 donation to cover some of the expenses for the Easter Egg Hunt and the Memorial Day Services.

On May 19th at 9 am we will be working in the park with Billy Pricener to replace some of the shrubs. He has about \$300 left over from his project to buy new shrubs and we will supply the mulch.

The committee will be working with St. Jude on the bingo during the George Westinghouse Days.

TAX COLLECTION - J. THOMAS: the earned income tax and the local services tax are now being directly deposited.

OLD BUSINESS

MR. S. SHURGOT: I would like to apologize for the mix up on the dumpsters. We are looking at the beginning of June to bring them in.

MS. K. PETERSON: is there anything that we can do about the changes in the bus schedule. A lot of our residents depend on them.

MR. S. SHURGOT: We did contact the County Executive about this.

MS. S. SMITH: we will be holding our Memorial Day Services in the park on Monday May 28th starting at 8 am. We are working on the agenda and the compositions from the students. The Y has donated a membership to the winners.

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NEW BUSINESS

MR. S. SHURGOT: according to the 2010 census there are over 67% renters in Wilmerding. We have to make sure that the landlords are following our codes and procedures. They are moving people in without any inspections. Some of them schedule inspections and do not show up. They are selling the properties with taxes due and we need to take action on these landlords. There is Act 90, which was just recently passed, and it gives us more ammunition to go after these landlords. How can a person become a landlord if he has a misdemeanor violation. He takes the rent money and puts it away and does not pay anything that is owed to the borough.

MR. G. EVASHAVIK: there is a meeting tomorrow that will discuss these issues. The tools are out there and they just need to be enforced. They know they need a rental license and occupancy permit. They violate these regularly and we have to wait for a hearing date and this also costs you time and money. Basically these are civil penalties and we do cite them. The process is long and drawn out and by the time the hearing is scheduled some of them come in and pay.

MR. S. SHURGOT: we have to take a stand and spend some money and go after these people. If they do not follow the rules then their license should be pulled.

MR. G. EVASHAVIK: first you have to give them notice. If they fail to remedy the situation then you can suspend their license. You need to apply the ordinances.

MS. K. PETERSON: if you take the license away, is it just for that property or for any other properties that he owns in Wilmerding.

MR. G. EVASHAVIK: it is only for that property.

MR. S. SHURGOT: the property can be taken over by a bank for not paying their mortgage or by eminent domain. The borough does not want to get into owning property.

MR. G. EVASHAVIK: you can always put a property up for sheriff sale by it can be expensive. It would cost the borough at least \$5,000 to process. Any government can take private property if it is for government purposes. You would have to pay them the fair market value for that property. If you know someone that wants to buy a property you can have him put the money to cover the cost, about \$5,000 for a sheriff sale, and then they would get it at cost. If they are outbid then they would get the money back.

MR. S. SHURGOT: our code officer has been up at 220 Card Avenue numerous times. Is there a way that we can amend the 979 ordinance that any house for rent cannot be run as a boarding house. It is not zoned for that type of use.

MR. G. EVASHAVIK: you would have to prove that to the Judge. You have to present evidence to that effect.

MR. S. SHURGOT: we need to cite him for any violations and cite him everyday if we can.

MR. J. MASON: I went to court with Dave on 220 Card Avenue. I told the Judge that they were sleeping on the floors and there was no furniture in the house.

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MAYOR'S REMARKS - D. PARISI: Sandy, I was happy to assist you with the Easter Egg Hunt and we have to continue to look into the feasibility of having a picnic in the park.

I received some complaints about the trucks that were parked by the Ukrainian Club and St. Jude's where they tore the houses down. Jack Mason and I had them removed. I was also asked when that crane, which is still at the Westinghouse Avenue demolition site, will be removed. I called W & J Contracting and asked them when they are going to remove it and I have had no response.

I received a complaint about the graffiti on the wall at Patton and State, across from the Ukrainian Church. I contacted Representative Paul Costa and he told me that he would get in touch with PennDOT to have it removed as soon as possible. I will keep an eye on that.

MR. J. THOMAS: can we hold back the payment for the demolition until all their equipment is removed.

MR. S. SHURGOT: I will give Amanda a call at COG tomorrow and ask her about that.

MR. S. SHURGOT: myself and the Code Officer went to a property that is supposedly owned by husband and wife but the husband's name is the only one on the deed. Who do we go after.

MR. G. EVASHAVIK: whoever name is on the deed.

MR. S. SHURGOT: the owner is supposed to be in jail and the wife wants to rent it.

MR. G. EVASHAVIK: she can act as the agent.

Meeting adjourned at 8:45 p.m.