

**BOROUGH OF WILMERDING  
MINUTES OF THE AUGUST 11, 2015 REGULAR MEETING OF COUNCIL**

The meeting was called to order by President Sandra Smith at 7:15 p.m.

The Pledge of Allegiance was led by the President.

**MS. S. SMITH:** Council met in Executive Session prior to the meeting to discuss legal matters.

**ROLL CALL: KAREN PETERSON, absent; REV. DOROTHY REEVES, present; MICHAEL TRKULA, Present; STEPHEN SHURGOT, present; WILLIAM PRICENER, present; JOHN THOMAS, present; SANDRA SMITH, present. MAYOR HENRY SLACZKA was also present.**

**MS. S. SMITH:** on behalf of Wilmerding Borough Council I would like to extend our sympathy to Bill Pricener and his family on the passing of his mother.

**M. TRKULA / REV. D. REEVES TO ACCEPT THE MINUTES OF THE JULY MEETING.**

**MR. J. THOMAS:** I have one correction. On the first page of the minutes where D. LaGorga is talking about the houses on Middle Avenue, it says the house at 704 Middle Avenue, it should be 708 Middle Avenue.

**MEMBERS VOTED APPROVAL, WITH THE CORRECTION, TO ACCEPT THE MINUTES OF THE JULY MEETING, 6-0.**

**PETITIONS & MEMORIALS**

**MRS. M. COMUNALE, MIDDLE AVE.:** I was here last month about the house next door to me where the grass and weeds are over six inches. Nothing has been done and it is a health and safety issue. Last month you told me that you would take care of the problem and so far nothing has been done. We need some help, my husband and I can't take it anymore and he has health problems.

**MS. S. SMITH:** Mary, I will call you in a day or so and let you know what we plan on doing.

**CORRESPONDENCE**

1. Received a request from Glenn Engineering that the borough bid jointly with five other municipalities for sewer cleaning and televising. This is part of the ongoing Consent Order Agreement and Maintenance requirements. The last time we bid we budgeted \$21,000 but only did \$9,000 worth of work. I would like to bid \$25,000 and I have included this amount in the 2015 sewer system budget to cover these costs.

**M. TRKULA / S. SHURGOT TO GRANT GLENN ENGINEERING AUTHORIZATION TO BID JOINTLY FOR SEWER CLEANING AND TELEVISIONING. MEMBERS VOTED APPROVAL, 6-0.**

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2. There is an ordinance for your consideration. It is an ordinance amending the Code of Ordinances, providing for additional means of enforcing its various ordinances.

**MR. G. EVASHAVIK:** this ordinance will support further enforcement and alternate means of enforcing your ordinances. It will give the owner options and time to remedy the violation. It also requires a ticket form to be used.

**M. TRKULA / S. SHURGOT TO ADVERTISE THE ORDINANCE FOR CONSIDERATION AT NEXT MONTH'S MEETING. MEMBERS VOTED APPROVAL, 6-0.**

3. Our Winter Traffic Services Agreement has expired. This is an agreement where we would salt Sprague Street and Station Street Hill and PennDOT would reimburse us for the clearing of these roads during the winter season. It would be a five year agreement, the same as in the past, and we can cancel the agreement by September 15<sup>th</sup> for any year that the agreement is in effect.

**M. TRKULA / S. SHURGOT TO CONTINUE WITH THE WINTER SERVICES AGREEMENT. MEMBERS VOTED APPROVAL, 6-0.**

4. Received a request for a handicap sign at 612 Airbrake Avenue. All the necessary paperwork was presented with the application. He is requesting that no sign be put up just paint the handicap sign on the street.

**MS. S. SMITH:** in order to put the sign up and make it legal a sign has to be posted.

**S. SHURGOT / W. PRICENER TO GRANT A HANDICAP SIGN, WITH THE SIGN ON A POLE, FOR 612 AIRBRAKE AVENUE. MEMBERS VOTED APPROVAL, 6-0.**

5. Received a letter from the Planning Commission that they granted a variance for a subdivision for Alfieri's Funeral Home.

**MR. G. EVASHAVIK:** the Zoning Hearing Board grants variances, not the Planning Commission.

**MRS. J. TOMASIC:** Alfieri's came to the Planning Commission to seek a subdivision of two pieces of property that they own that are over lapping. These properties changed hands and there are new owners.

**MR. G. EVASHAVIK:** first of all the plans should have been reviewed by the Engineer first and then by myself.

**J. THOMAS / M. TRKULA TO REFER TO THE ENGINEER AND SOLICITOR FOR FURTHER STUDY. MEMBERS VOTED APPROVAL, 6-0.**

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6. Received a request from the Family Center to use the park on Wednesday August 18<sup>th</sup> from 12:30 pm to 2:30 pm for a kindergarten picnic.

**M. TRKUAL / W. PRICENER TO GRANT THE FAMILY CENTER USE OF THE PARK FOR A KINDERGARTEN PICNIC. MEMBERS VOTED APPROVAL, 6-0.**

**COMMITTEE REPORTS**

**PUBLIC SAFETY – M. TRKULA:** for the month of July Eastern Area Pre-Hospital Services responded to 50 calls and made 34 transports. Their average response time for emergencies was 7.0 minutes and for non-emergencies it was 9.4 minutes.

I did not receive a report from the Fire Department.

The Chief will give the police report.

**CHIEF MATRAZZO:** for the month of July we answered 243 calls and made 12 arrests. A summary of the calls are: 1 assault, 4 animal complaints, 7 criminal mischief, 4 disorderly conduct, 16 domestics, 2 drug investigations, 1 identity theft, 11 juvenile complaints, 2 missing persons, 6 motor vehicle violations, 3 neighbor disputes, 1 overdose, 3 parking complaints, 1 public intoxication, 2 retail thefts, 2 robberies, 1 stolen vehicle, 3 suspicious activities, 2 suspicious persons, 6 thefts, 2 thefts from vehicles, 4 traffic accidents, 1 wanted person, 3 landlord ordinance violations and 3 tow tags issued.

**MR. W. PRICENER:** on Sunday August 9<sup>th</sup> my neighbor was walking his two year old out Marguerite and he spotted a needle lying on the ground. He called the police about it but it was still there two days later. He picked it up because he did not want anyone to step on it. Can you see why no one responded to this?

**CODE ENFORCEMENT – W. PRICENER:** for the month of July Mr. Buskirk worked a total of 43 hours. He met with Louise concerning citations to be issued, follow up on inspections and code enforcement duties. He checked various properties for property maintenance complaints, prepared and delivered citations to the Magistrate's office, attended two hearings at the Magistrate for citations issued, inspected and issued occupancy permits for rental properties at 209-C and 215 –F Caldwell Avenue, 742 Middle Avenue, 536 Airbrake Avenue, 215 Bridge Streets apartments 1 & 2, and 318 Middle Avenue apartment 2B. Issued occupancy permits for the resale of 404 and 408 Clara Street and 405 Herman Avenue. Issued a roofing permit for 142 Watkins Avenue.

501 Westinghouse Avenue (a recovery service and garage) applied for a use permit and I reviewed the documents received regarding non-compliance uses and their continuance. I also reviewed the zoning map and it appears that the subject property is zoned residential which would make this a non-conforming use. I can only assume that this has or was used this way prior to zoning being adopted. This could make it a legal non-conforming use but I do not know the history if it was ever registered as such. If we agree that it is a legal non-conforming use, the use may continue as long as it has not been abandoned for a period of six months. If it has been, the property must only be used as what's allowed

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in that zoning district. I can't see how anyone would convert this into a dwelling. I would recommend sending this to your Zoning Hearing Board to accept sworn testimony regarding the history. The Zoning Hearing Board can then decide if this proposed use, which is already in operation, should remain or if the property must be used for what is allowed in this zoning district.

**MR. M. TRKULA:** do they have an occupancy permit. Who requests the zoning hearing?

**MR. G. EVASHAVIK:** it is up to the owner to request the hearing.

**MR. S. SHURGOT:** Dave Buskirk inspected the property and they corrected all the issues.

**MR. G. EVASHAVIK:** if no occupancy permit was issued then a cease and desist letter should be sent to the owner.

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**MR. W. PRICENER:** Louise's report for July and August is that she has moved into her new office and is getting organized. There is still \$315 due for rental licenses for 2015 and she just collected one for 2014. She is requesting ID Badges for Code Enforcement Personnel. On a recent inspection a resident asked Dave Buskirk for his picture ID and he did not have one so he showed them his driver license but that doesn't mean he works for the borough. We have been trying to solve the grass and weed complaints filed by the residents and it would be helpful if they could follow up and tell us when the grass is mowed. The mail carrier who delivers on Airbrake and Middle Avenue stopped in and says he has a great deal of difficulty because there are dogs loose and he has no idea whose dogs they are. He has to tramp through dog feces and weeds to deliver the mail. He says one resolution would be for the borough to request cluster boxes for Airbrake and Middle Avenue. It would be very helpful if residents can appear in court to give testimony for a complaint that they registered. We have court scheduled for Sept. 29<sup>th</sup> downtown for summary appeals filed by Sean Kerrigan and Heather Wise. We welcome support from anyone who can attend. Finally, the "G" is missing from WILMERDING on the building.

**MR. M. TRKULA:** she said she just received a payment for 2014 rental license. Why weren't these people cited and taken to the Magistrate for failure to pay. Also, we have nothing to do with the mailboxes.

**PUBLIC WORKS – W. PRICENER:** I received a call from a resident in the 400 block of Card requesting that we repaint the parking lines.

**MR. M. JAKUB:** we have taken care of it.

**MR. W. PRICENER:** the guys have been busy picking up the trash daily from the parking lots and around the park, the installed the air conditioners in council chambers and Louise's office, the curbs have been painted along with the handicap spaces, the sewers are getting cleaned out, they have put down hot patch around town, Louise was moved into her new office, the pick-up was inspected and the park was cleaned up for National Night Out. Duquesne Light still has not installed the new LED Street Lights on Station Street.

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**MS. S. SMITH:** at the last meeting Karen was supposed to look at getting paint for us to do some projects. Does anyone know if she did that?

**REV. D. REEVES:** I was going to do it but you need a computer so Karen said she would do it.

**ENGINEER'S REPORT – D. GLENN:**

1. Another consent order is coming and they tell you it is voluntary. My suggestion is that you do not sign any deal with the DEP until it is completely reviewed by the Solicitor and myself.
2. Joe gave me the paperwork for CD 42. Council needs to think about what projects they would like done. The deadline for pre-applications is Sept. 18<sup>th</sup>.
3. We contacted PennDOT about the holes in the retaining wall along Maple Avenue. They said they would be out and weld plates over the holes.
4. Lawson is in town doing the nine inlets that needed repaired. So far seven have been completed.
5. Waste Management was notified that the borough will activate the final option year of the contract.
6. We did not receive any proposals for the replacement of the Commerce Street door.
7. Likar will be here to look at the roof. The ceiling is falling in the stairwell.
8. On July 27<sup>th</sup> proposals were received for the replacement of the fence around the basketball court at the Airbrake Avenue Park. Two proposals were received, the first one was from Allegheny Fence for \$3,694.20 and the second one was from North American Fence for \$6,909.

**MR. J. THOMAS:** I did not know it was going out for bid. I thought we were doing it in house.

**MR. W. PRICENER:** we asked Dave to take a look at it. The fence needs replaced not repaired.

9. The PIB Loan Application for street paving was submitted to PennDOT on July 22<sup>nd</sup>. Everything should be in order for bidding in the spring of 2016.
10. Water is seeping through the wall in the public works garage. We may need to put a French drain in.

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11. We requested proposals for televising the roof drains.

MS. KAREN PETERSON ENTERED COUNCIL CHAMBERS AT 8:12 PM AND WAS RECOGNIZED BY THE CHAIR.

12. Our GEDF Grant application was not approved but the county is ready for COG to advertise the project with the \$100,000 CITF Grant. There has been some interest from the county that they are willing to put more money into the repair of the slide on Ice Plant Hill. We will continue to talk with the school district to see if they can contribute any funds toward this project. Their question was, who will be responsible after the work is completed. My response would be that the borough would maintain the hillside to the best of their ability. We would also clean the debris behind the jersey barrier. They also questioned if there were other costs besides the \$350,000. I replied that the borough would be responsible for inspection, administration and advertising costs. They also wanted to know if the borough would seek additional funding from another source. My reply was that the borough would seek additional funding from any source available.

**M. TRKULA / REV. D. REEVES TO ADVERTISE THE ICE PLANT HILL PROJECT WHEN FUNDS BECOME AVAILABLE. MEMBERS VOTED APPROVAL, 7-0.**

**COG REPORT – K. PETERSON:** there are no meetings in the summer.

**BOROUGH PROPERTY – K. PETERSON:** no report.

**MS. S. SMITH:** did you apply for the grant to get paint. The deadline was July 31<sup>st</sup>.

**MS. K. PETERSON:** no, I did not apply for the grant. I don't think that we had any eligible projects.

**MR. W. PRICENER:** Louise mentioned that the "G" is missing from Wilmerding on the building. Can you take care of that?

**MR. S. SHURGOT:** on Morningside Avenue, left of Summit Street, there was a tree that is leaning on the wires. Also, the tree by the flag pole at the triangle by the Credit Union needs trimmed. I got some prices to do the work. To remove the tree on Morningside that is leaning on the wires, the cost is \$500 and to trim the tree at the triangle away from the flag pole is \$100.

**S. SHURGOT / W. PRICENER TO HAVE THE WORK DONE AS STATED AT A TOTAL COST OF \$600. MEMBERS VOTED APPROVAL, 7-0**

**UTILITIES – REV. D. REEVES:** no report.

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**PLANNING – REV. D. REEVES:** we are still looking for one more person for the Planning Commission.

**SOLICITOR – G. EVASHAVIK:** no report.

**MR. S. SHURGOT:** there was a fire on Welsh Avenue and we have an ordinance that if the insurance company pays the homeowner then they have to tear it down. I understand that there was no insurance on this property. Can we apply for emergency funding to tear it down? The property is overgrown. In Pitcairn they put money in their budget for demolition. If there is an owner they send them a bill to get reimbursed.

**MR. W. PRICENER:** I like the idea of doing vacant properties. Who would be responsible if one of our employees gets hurt on private property?

**MR. G. EVASHAVIK:** they would be covered under worker's comp since they are doing a task for the borough.

**MR. S. SHURGOT:** if we cut the weeds down can we tell the neighbor to help us maintain that property.

**MR. G. EVASHAVIK:** there is a state law to set up an escrow fund to rehab the property.

**FINANCE – J. THOMAS:**

**J. THOMAS / M. TRKULA TO PAY ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 7-0.**

**MR. J. THOMAS:** so far we have received 97% of the tax money that we budgeted. It is the same as last year.

**RECREATION – S. SHURGOT:** in July we had between 75 -85 people in the park for our movie night. On August 4<sup>th</sup>, National Night Out, there were about 100 people. Kenny Blake was the entertainment for the night. Tomorrow we will be showing "Frozen" as our movie in the park for August. It will start about 8:30 pm and we are looking for any help on the recreation committee. Also, the movie, Fathers and Daughters, that was shot here with Russell Crowe will be premiering in the fall.

**OLD BUSINESS**

**MR. W. PRICENER:** does anyone have an idea of when they are going to install the ten new lights.

**MS. S. SMITH:** I will check on that.

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**NEW BUSINESS**

None

**MAYOR'S REMARKS – H. SLACZKA:** I have been in office for one year on August 5<sup>th</sup>. We had made progress in that time and there is still plenty of work to do. We need to start enforcing our codes and ordinances. It seems that the tenants have more rights than the landlord. If the landlord does not have a permit or a license then that property should be shut down until it obtains the necessary permits from the borough. We need to exercise our authority. If no one wants to do that job then they should quit.

Meeting adjourned at 8:41 p.m.