

**BOROUGH OF WILMERDING  
MINUTES OF THE FEB. 6, 2018 REGULAR MEETING OF COUNCIL**

The meeting was called to order by Vice President Linda Kirk at 7:01 p.m.

The Pledge of Allegiance was led by the Vice President.

**ROLL CALL: REV. DOROTHY REEVES, present; KAREN PETERSON, present; KELLY MAXWELL, present; PAULA SHURGOT, present; JOHN THOMAS, present; STEPHEN SHURGOT, absent: LINDA KIRK, present. MAYOR GREGORY JAKUB WAS ALSO PRESENT.**

**REV. D. REEVES / K. PETERSON TO ACCEPT THE MINUTES OF THE JAN. 2, 2018 MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 6-0.**

**PETITIONS & MEMORIALS**

**P. VOLPE – OWNER OF PROPERTY ON WESTINGHOUSE:** I'm here to address a couple things that were brought up at last month's meeting about the sale of 418 Caldwell. I don't think we owe anyone a reason as to why we sell our property but a few facts about it. We know it's zoned R2, we know that costs are continuing to rise and our tenants were on a fixed income, the neighborhood is not the same it was 10 years ago, and buildings are being run down. The odd fellows' property is in a complete shambles, we saw kids over there climbing in the broken windows, making the sale of property more difficult. There are people living on that street yelling at their kids using the F word, the dogs are always barking, and it's just a mess. There is an ordinance in town about how many animals you can have right?

**L. KIRK:** I believe so, yes

**P. VOLPE:** Caldwell used to be a nice street but is probably one of the worst roads in the Borough. There are potholes everywhere but we are getting hit with all these inspections. What's happening to the roads? Now we have an issue with the garbage collection and the garbage that sat in front of the Park building. Where code enforcement for that? In the alley behind our property the garbage men are just throwing garbage and cans everywhere, where's code enforcement?

**L. KIRK:** there's been other complaints about the way the garbage is getting thrown around and the cans and that have been addressed.

**P. VOLPE:** people are putting their garbage out early and it all makes you wonder if there's selective enforcement going on. They need to drive around town and look at all these dilapidated properties instead of coming after people who want to take care of their property. If you have property and you live out of town when you come here and say something you never want to it to be retaliated against you or your family. That will lead to a law suit. The other thing, we had a house on Card whose family was selling and that inspection never showed up on your report because it was the father of the girl that works for COG. That is a conflict of interest, how can you have your own company inspect you house? The issue with Sean Kerrigan has been going on for years and we can't point blame to just one person but where you are now is basically because of borough misconduct of their employees and that is not a good thing. I think that Lydia street extension, which is a borough road, is never taken care of. We also own property up off of card and that private road is never taken care of, if you didn't abandon the roads you need to take care of them. You do private property snow removal in the post office but you won't do your own roads.

**L. KIRK:** some of those items you brought up about COG were addressed by Mr. Shurgot previously. I'm not privied to what took place but I know some of those things were addressed.

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**P. SHURGOT:** that was addressed with my street department. However that will be on a tier process. It will not be as soon as it's done snowing they must take care of main roads first.

**S. VOLPE:** the thing that ticks me off is the private property is done before the borough roads.

**P. SHURGOT:** the post office is done because of an agreement that was made to keep the post office opened.

**S. VOLPE:** let them move.

**L. KIRK:** you don't want to lose a post office in your town

**P. SHURGOT:** the post office is not a priority either, that is when we can get to it.

**S. VOLPE:** I'll see a borough truck, before now, they would come up Lydia Street and go down Card and not salt or plow then 5 minutes later they come in the opposite direction. I know you have new borough employees so I don't know if they were instructed to do that.

**P. SHURGOT:** they are out together, one takes this side of town and one takes the other side. The day of the big storm we were waiting on a salt delivery. They were only doing intersections and hills, just like they have done for years.

**S. VOLPE:** I understand that it's just before it was never done for whatever reason. That is borough property and they have been doing that lately. You're talking about nit picking people, I get cited. I was going to ask the solicitor a question: If you have family and you get an occupancy permit then a family member moves in with them is that a violation of the occupancy ordinance?

**G. EVASHAVIK:** I would have to look at the ordinance.

**S. VOLPE:** I had a tenant and his girlfriend so I got an occupancy permit. His brother was in the Marines with 31 days a year of leave, when he came back he stayed there. When he got out of the Marines in April he stayed there and in November I get a citation because I illegally moved someone in. He said it was a change of occupant. There's a council member here that has family members living with them. How come they're not required to get an occupancy permit?

**G. EVASHAVIK:** that's a good question for him but this council and myself does not monitor every action he takes. He operates independently although this council hired him. You have every right as a citizen to have your day in court.

**S. VOLPE:** so what is the difference between a brother and a son moving in?

**G. EVASHAVIK:** Steve I dint issue the citation, I'd have to hear his side of the story and look at the ordinance then I'd be able to give you an opinion.

**S. VOLPE:** that's why I'm making a big fuss over this little section of road. I got cited for 2 there, he came out and did the inspection, now I got to put a deadbolt on the basement door and clean up the garage. This girl got a job and was commuting from Clarion. When he did the inspection her suitcases were there, I told her to move in. I got another citation because I moved somebody in there. I got code enforcement going around asking my neighbors, and tenant if I'm a good landlord. This is getting to be harassment. I have a 2 block area in the alley that I took pictures of but I'm the only one to get a citation. I got it because Dave Stark's daughter, Amanda, is

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in charge of COG. Everybody can see between the lines. I came down here to voice my opinion and he's talking trash on me. He's nit picking my buildings, I had to spend \$600 to have a structural engineer to come out and say there's nothing wrong with this. I can go on and on. North Versailles police thought a criminal was living in one of my places so I told them I wouldn't shovel my sidewalk and we'll see if there are footprints, I got a citation. They cite me again for it but the park wasn't done. How do you cite me when the borough park is not done? I have picture of all the other garages and they never got written up. I took council people around and I got asked "what did you do to piss him off".

**L. KIRK:** I agree that you have an issue and I told you this when we drove around in the summer time. Some of the things we spoke about that day I agree made no sense like painting in the winter and painting the railing outside on you porch will not allow you to have a tenant. I feel that those are issues that you are justified about. The rest of this has happened since then but we had that meeting with Jesse, Karen, Steve and I and it did get unprofessional. Nothing got solved at the time but you did keep to the agreement in making the plan and informing us of everything you were doing at the time. Now this has been since then and I can't say I'm sure of what is now going on.

**S. VOLPE:** when I came down I had question about 1 property and he came flying off the handle throwing picture of a different property. Then you have the building inspector coming down and I looked him up online, he doesn't have any certifications.

**L. KIRK:** because of what was discussed I do know that Steve talked to him about the painting in the winter thing and there was someone other than you cited for the painting. I do know what we spoke about then has been addressed this is in addition to that and I can't speak too much of that.

**K. PETERSON:** I did talk to Amanda and she did say that there are 2 sides to the story. It sounds like we really need to get together since it's not getting any better.

**S. VOLPE:** there is a water main break up on Lydia and Card. I called the water company the other day.

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**M. MEIGHAN – 4<sup>TH</sup> STREET NORTH VERSAILLES** – I had called about the removal of a handicap parking sign from 236 Card Avenue. I'm not sure what else to do.

**C. LANG:** public works has the request but it's not as easy as it sounds. They have to rent the hammer to break up the concrete holding the post in.

**M. MEIGHAN:** can you put a bag over it so people can start using that spot.

**G. EVASHAVIK:** that can't be removed until council votes on it.

**C. LANG:** the person who had the handicap placard passed away so it can automatically be removed.

**P. SHURGOT:** I'm not saying it will be removed tomorrow due to the snow coming but I will get it removed for you.

**M. MEIGHAN:** also, when I talked to Caroline about a previous meeting the Volpe name came up about ruining the town. That specifically was said but not recorded and I know my brother, my sister-in-law, and I completely resent that and it should have been stopped immediately. To be put in the same category as other people who are ruining this town was a slap in the face. I'm selling both of my properties, if that person was here id ask her permission to see if she wants to buy it first. Legally we can't stop who is purchasing the property. If anyone

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has anything to say about me or any other people in my family than call me. I resent having that brought up saying we are ruining Wilmerding for what our family has done for this town. Paula you said about snow removal, that Lydia street ext. is just a rut; it's not even a road. If I would be walking and fall who would be responsible. It's not just my brother that lives up there, other people are there also. In regards to impartial, if Amanda's did not get an inspection for 409, it was told to me that I am required to have an inspection before I see. Is that selective enforcement?

**K. PETERSON:** how do you know it wasn't done?

**M. MEIGHAN:** it would be posted.

**L. KIRK:** I think those are all complaints through COG. We aren't the ones that set the procedures; we hire them as professional to carry that out for us so we can address the concerns with them.

**M. MEIGHAN:** you can vote on that and say you don't have to have a house inspection.

**L. KIRK:** but it's for the safety of the next tenant coming in.

**M. MEIGHAN:** you already have one on record, within a year that the inspection was complete.

**L. KIRK:** you have to worry about the tenant leaving trashing the homes.

**M. MEIGHAN:** prior to a new tenant moving in your required to have that done but when you sell a house you have to have it also. Louise said it's a borough ordinance to have a house inspection.

**P. SHURGOT:** Louise is only in charge of the rental licenses. Anything else you have a question on needs to go through Caroline so she can pass it on to the proper person. All Louise does is rental licenses and makes sure you have the correct people in the house that you said will be there.

**M. MEIGHAN:** okay so I'm selling 2 properties do I need to have a home inspection.

**C. LANG:** yes. It is required according to what COG has told me it is an ordinance that Wilmerding Borough adopted but I would have to look into it to find out. I do not know all of the ordinances that have been adopted so I would need to look into that.

**M. MEIGHAN:** so it was passed by Wilmerding and if you work for COG you don't need it.

**C. LANG:** they are required to have the same inspection as everyone else. I will go back and check on that property.

**S. VOLPE:** You would have to get a copy of the actual inspection report because I believe an occupancy inspection was done. When I talked to the lady that moved in I notice that there was electrical tape on the entrance and I asked her about an inspection but she was a little confused about it. I know when they ask questions and when the inspectors circle around every Friday, stop and ask questions, you know what goes on. When you ride around town and see Airbrake, Middle, Lilac Alley and some of the other alleys none of them are on there. I can guarantee they will be coming after me.

**M. MEIGHAN:** we just wanted to bring up the selective enforcement that is happening every month.

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**CORRESPONDENCE**

1. Handicap applications for 116 Middle Avenue.

**G. JAKUB:** being this is at 116 and we are still having problems with the 118

**C. LANG:** 118 will need to be moved. It was placed where a previous sign was before the laws had changed. It now needs to be 30 ft. from the stop sign. It has been added onto their list of signs to be installed; they are just waiting for the weather to break.

**INSPECTOR KEARNS:** the problem sign is at 122 Middle.

**J. THOMAS:** when did they change the law and the distance?

**INSPECTOR KEARNS:** I'm not sure of that.

**J. HARTZELL:** if you remember the Borough changed it from stop signs to 20 ft.

**J. THOMAS:** can we do that and supersede state motor vehicle code?

**G. JAKUB:** no

**P. SHURGOT:** we need to tell the residents that anyone who has a placard can use these spaces.

**C. LANG:** I have explained that to everyone.

**K. PETERSON/D. REEVES TO INSTALL HANDICAP SIGNAGE FOR 116 MIDDLE AVENUE.  
MEMBERS VOTED APPROVAL, 6-0.**

2. The 2<sup>nd</sup> handicap sign is for 414 Airbrake Avenue.

**K. PETERSON/ P. SHURGOT TO INSTALL HANDICAP SIGNAGE FOR 414 AIRBRAKE AVENUE.  
MEMBERS VOTED APPROVAL, 6-0.**

3. Steve had me send out the new list of committees. The tax committee has been change to Kelly Maxwell and Karen Peterson.

4. RK East management would like to know if we want the property locate at 528 Middle Avenue. It is scheduled to be demolished due to a fire that occurred in November.

**P. SHURGOT:** was this a rental property.

**C. LANG:** yes

**P. SHURGOT:** I don't think we would be interested in that.

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5. Senator Brewster's office informed us that there will be several upcoming grant opportunities for our community from the Commonwealth Financing Authority
6. ALCOSAN is announcing the third cycle of the GROW program. If we are interested we need to do a letter of interest and have it mailed by April 2, 2018.
7. The Emergency Management needs to be updated. Everyone will need to take the NIMS test 100 & 700. The certifications need to be done by February 28, 2018.

**K. PETERSON/REV. REEVES TO ACCEPT THE EMERGENCY MANAGEMENT PLAN. MEMBERS VOTED APPROVAL, 6-0**

**COMMITTEE REPORTS**

**PUBLIC SAFETY – L. KIRK:** for the month of January Eastern Area Pre-Hospital Services responded to 31 calls and made 24 transports. Their average response time for emergencies was 7.4 minutes and for non-emergencies it was 8.1 minutes. I have not received the fire departments report.

**INSPECTOR KEARNS:** for the month of January we responded to 330 calls. They included 1 arson, 2 assaults, 3 burglaries, 1 child sex assault. 2 criminal mischief, 13 domestics, 3 escort, 2 fugitive arrest, 10 local ordinance, 1 Megan's law violation, 1 motor vehicle crash, 7 narcotics, 2 shots fired, 6 theft, 88 traffic stops, 3 warrants, and 1 weapons. There were 27 arrests made that included 2 fugitive arrests, 3 thefts, 2 burglary, 2 terroristic threats, 3 simple assaults, 6 narcotic charges, 2 DUI's 1 firearms charge, and 1 criminal mischief.

**K. PETERSON:** someone called me and asked about the Megan's law website. They said there is someone on there that lives across from the school. Isn't it a law that the people on there can't be within a certain distance from a school.

**INSPECTOR KEARNS:** it depends on what tier they are. Some just have to report to the State and some have restrictions. As far as I know there is no one on the tier that requires notification living by the school.

**L. KIRK:** crime watch meeting is February 12<sup>th</sup> at 6:00 p.m. in council chambers. The topic is woman's issues and the speaker is the legal advocate from the woman's shelter.

**COG – K. PETERSON:** CITF funding is available and they urged us to apply, we also attended the dinner. They are passing a law that will require treatment for anybody that is administered Narcan. The state has surplus money so hopefully we can utilize some of those funds.

**P. SHUGOT/K. PETERSON TO REIMBURSE REV. REEVES \$100.00 FOR THE COG DINNER. MEMBERS VOTED APPROVAL. 6-0**

**K. PETERSON/P. SHURGOT TO SUBMIT THE CITF GRANT APPLICATION FOR PAVING IN THE AMOUNT OF \$250,000.00. MEMBERS VOTED APPROVAL, 6-0.**

**PUBLIC WORKS – P. SHURGOT:** they did snow removal, had 1 truck repaired, sold some scrap which allowed them to buy a new light bar and angle grinder, organized in the garage, and received the barriers for Commerce. The dump truck needs a new blade it would cost \$208.00. The check was received from the Airbrake accident so when it warms up we can get that repaired.

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**ENGINEER – D. GILLILAND:**

L. KIRK: Dave's report was given at 6:30.

**BOROUGH PROPERTY – L. KIRK:** another spring thing is painting the room downstairs.

**UTILITIES – K. PETERSON:** LIHEAP program deadline is coming up if you are interested in applying.

**SOLICITOR – G. EVASHAVIK:** in 2017 we entered into a grant agreement with ALCOSAN for the GROW project, as one of the final steps we need to authorize the execution of an instrument for the declaration of restrictions and covenants. Essentially this states that the Borough accepts these improvements and promises to maintain them for 20 years. Mr. Zischkau said this porous pavement on Wall Street should last 20 or more years with regular maintenance.

**J. THOMAS/ K. PETERSON TO ACCEPT THE INSTRUMENT FOR THE DECLARATION OF RESTRICTIONS AND COVENANTS AS REQUESTED BY ALCOSAN. MEMBERS VOTED APPROVAL, 6-0.**

A question came up about the noise ordinance that was passed. When I received the model from the Inspector it was limited to just noise from a motor vehicle and I said we need to capture more and we did. I know there was an issue from a location and I was asked if this ordinance would cover that, and yes it does. I specifically made the definition of noise to be a nuisance. This ordinance prohibits noise nuisances defined to be any noise from a radio, tape player, CD player, loud speaker, or any other type of electronic device used for the amplification of music, entertainment, noise, or sound. We captured a broad spectrum of noise so we could have our law enforcement able to use this to regulate noise.

**FINANCE – J. THOMAS**

**J. THOMAS / P. SHURGOT TO PAY ALL THE APPROVED BILLS. MEMBERS VOTED APPROVAL, 6-0**

**RECREATION – K. MAXWELL:** We will be starting to plan the Easter party.

**PLANNING – REV. D. REEVES:** nothing

**OLD BUSINESS:** none

**NEW BUSINESS:** none

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**MAYOR'S REMARKS – G. JAKUB:** I believe we were all contacted by Brandon Markosek, Joe Markosek's son, he has asked that with his father leaving if the Borough Will support him.

**P. SHURGOT:** is that going to affect the coverage when they realign?

**G. JAKUB:** we don't know yet. We could end up with Paul Costa again. We received a letter from CIAC to set up a meeting with Council so we need someone to set that up. I want to thank the county police for all the cooperation opening the road here by the Borough building to 2 lanes for the funeral on Saturday. I've been working with Westinghouse Performing Arts School, we've had numerous attempts to get cheerleading and soccer practice in there and we have been getting ping ponged around. I

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finally had a meeting today with Bill Malloy, he will have a meeting on Friday and we may get an answer. It appears that the school was afraid to let anyone in there because they weren't granted the right by Mr. Clicker to have anyone in there. The school is to be contacting him and hopefully we can move forward. They were cleaning things and getting things in order. They are doing the ceiling tiles and painting the hallway. I'm on a campaign, if we are not going to get money from the DA's office or they tell us we need matching money, I have 1 business set for a donation and I will be talking to a few others to get some donations. I have been talking with the Fire Department about funding ideas. Both myself and Councilwoman Maxwell have been on a campaign about the doctor's office and we're getting bad information along the way. Kelly found the building on Howard Hanna for \$450,000.00, they purchased it for \$115,000.00. If we could get someone involved we could get a business in there for \$115,000 but not for \$450,000.

**L. KIRK:** that's why I thought they were trying to sell the practice.

**G. JAKUB:** no, just the building.

**P. SHURGOT:** when you spoke with the school did you remind them that they need to maintain the sidewalks

**G. JAKUB:** that was in our discussion also.

**C. LANG:** we did send a letter to them as well, that was brought up at one of the past meetings to send letters to them and Mr. Graff. The school is doing a little better since receiving the letter.

**MEETING ADJOURNED AT 8:07 P.M**