

**BOROUGH OF WILMERDING  
MINUTES OF THE MAY 3, 2016 REGULAR MEETING OF COUNCIL**

The meeting was called to order by President Stephen Shurgot at 7:05 pm.

The Pledge of Allegiance was led by the President.

**ROLL CALL: LINDA KIRK, present; KAREN PETERSON, present; REV. DOROTHY REEVES, present; SANDRA SMITH, present; PAULA SHURGOT, present; JOHN THOMAS, present; STEPHEN SHURGOT, present. MAYOR GREG JAKUB was also present.**

**MINUTES:**

**MS. S. SMITH:** correction to the minutes from last month. It says we are going to sell the old push mower and buy a new one. We are not going to sell the old one. With part of the \$800 for the old riding mower we are going to buy a new one.

**S. SMITH / P. SHURGOT TO ACCEPT THE MINUTES WITH THE CORRECTION. MEMBERS VOTED APPROVAL, 7-0.**

**PETITIONS & MEMORIALS**

**MRS. K. MAXWELL, HERMAN AVE.:** are there going to be dumpsters out for the spring clean-up.

**MR. S. SHURGOT:** not for the spring clean-up. When we have the dumpsters it seems like all the contractors in the area fill them up. Most of the things you want to get rid of will be picked up with the regular garbage.

**MRS. K. MAXWELL:** when you have the community days, is it possible for the carnival people park their vehicles down further. The residents who live there have no place to park. Can you keep the area from Westinghouse to the end of the townhouses open for the residents to park?

**MR. S. SHURGOT:** I will talk to the vendor to see if they can park in the lot next to the school.

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**MRS. E. BARRETT, HERMAN AVE.:** I would like to thank John Thomas, Sandy Smith and especially Mayor Jakub who called me back and took action. I am talking about Ordinance 216.3 concerning dogs in the park. If the ordinance was changed I could not find any amendments. I also found another ordinance and it is 116.11 and it says that owners who own dogs cannot be on any public park or private property other than the property of the owner of such animal. I asked you to consider of not having the entire park as a dog park. The park is not usable by human beings, which is terrible. The park is overrun with children doing things they are not supposed to do and the owners not picking up after their dog. I do not know how you are going to have a festival there. Where are all these dogs going to go? They are certainly not going in my yard. I am going to be watching this ordinance to see how this one is changed.

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**MRS. D. LUCCARELLI, MILLER STREET:** I would like to get some ordinance on noise.

**MR. S. SHURGOT:** we have an ordinance on dog noises. In the Borough Code there is a section that states that residents should not be bothered by loud music, loud cars and anything else. We do follow the curfew hours for noises.

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**MR. G. EVASHAVIK:** the police can enforce disturbing the peace but it is difficult to enforce a noise ordinance. The noise would have to be measured in decibels by a machine and you would have to take this machine out and measure the noise in decibels.

**CHIEF MATRAZZO:** we can cite them after 9 pm for disturbing the peace.

**MR. J. SIMPSON, MILLER STREET:** regarding the same issue. As of late last summer the bar eliminated indoor smoking and made it outside smoking and put a tent up. Now we have cigarette smokers come outside and talk so loud that I can hear their conversation. What can we do when this noise increases? I called the police numerous times. We need help over there.

**MRS. M. MEIGHAN, FOURTH STREET, NORTH VERSAILLES:** you can contact the PA. Liquor Control Board, they have a nuisance law and they will send someone out to investigate. I can give you the number.

**CHIEF J. MATRAZZO:** you can also contact the Allegheny County District Attorney's office. They have a task force that investigates nuisance bars. We give them all the reports that we get called to.

**MR. J. SIMPSON:** regarding their twelve foot garage door, would that come under the noise ordinance or is there something else. Is there a way to keep it closed?

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**MS. K. TAYLOR, CARD AVE.:** we are watching our grandchild who is blind and she likes to go outside and play. Is there a way that you can put up a sign, BLIND CHILD AT PLAY?

**MR. S. SHURGOT:** we will take care of it.

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**MRS. T. HICKMAN, AIRBRAKE AVE.:** the trouble with the ordinances is that no one enforces them. There is a large truck that parks on Third Street and Middle Avenue. Chairs and mattresses are out on the sidewalk. I think the Fire Marshal should go down and check the building where Dorr's is at.

**MR. S. SHURGOT:** I talked to the Fire Marshal about the Dorr's situation and there is not supposed to be anyone working in there. Also, Paula, Linda and myself were over there last night and took a look at it. We talked to the Chief about this and he is going to start the process tomorrow to remove some of those cars.

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**MR. S. VOLPE, CARD AVE.:** I am on the school board and I gave everyone a copy of the millage history for the school district. The reason I am here, two years ago we reduce the millage by 1.7 mills and now the members are contemplating increasing the millage 1.17 mills. I am totally against this and I would like anybody else that is against this to stop up at the school board meeting on Monday at 7 pm. Our taxes are some of the highest in the state and we just can't afford it. The higher we raise the taxes our delinquents go up.

**MR. S. SHURGOT:** I talked to several school board members about delinquent tax collections. I gave them the name and number of the people we use, Maiello Brungo and Maiello. We are having pretty good success with these people.

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**MR. S. VOLPE:** I brought it up yesterday and I am all for going with someone else besides Keystone. We are over seven million in delinquent taxes that need to be collected.

**MR. S. SHURGOT:** also, at our workshop a question was raised, did the school district approve joining the land bank.

**MR. S. VOLPE:** I believe that they agreed to it. Let me check on that and I will get back to you tomorrow.

**MR. S. SHURGOT:** the Sheriff Sale for the Castle was supposed to be today but it was postponed until June. Everyone wants to know why the school district's attorney postponed the sale.

**MR. S. VOLPE:** if your remember Council met with the school board about the castle because they owed \$350,000 in school taxes. The first time our attorney went down there it was \$100,000 and we were never notified that it was lowered. We met with John Graf, who is interested in buying it, and told him there were three liens against the castle. We asked him to negotiate with the lien holders and make them an offer so that they would get something from the \$100,000. The county did not agree with that because it would take too much time and paperwork. One of the stipulations of the agreement if he got it for \$100,000, and I am sure you are aware of, was that if he sold the property within four years then the school district would get their \$350,000. We didn't want to say we would reduce it from \$350,000 to \$100,000 and then he buys it and turns around and sells it for \$400,000, how can you justify that. We wanted something in writing from him that he would guarantee us that he would not sell it within four years and if he does we want our \$350,000. I am sure you are aware of that.

**MR. G. EVASHAVIK:** what stopped the sale was that the school district wanted him to sign the agreement, which we were not aware of. When we went to the sale yesterday that was the first time we heard about any agreement. Your solicitor asked why doesn't the borough support us on this, and we told him we do not know anything about this.

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**PASTOR M. REED, HOLY ANGELS CHURCH:** last month I came with photos and talked about the mess in the alley behind Card Avenue. The house has been boarded up and the trash has been cleaned up. I assume that Mike did this and I just want to thank Council for taking action.

**MR. S. SHURGOT:** we did not do that. It is my understanding that the Mayor called the Chief of Police, who knows the owner of the house, and his son came out and boarded up the house and cleaned up around it.

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**MS. A. TUCKER, LYDIA ST.:** in regards to the sign about the blind child, there is a sign in the block before that and it does nothing. There are kids out in the street, cars are still speeding and going through the stop signs. Signs don't matter, you can put one up but no one pays any attention to them.

**CORRESPONDENCE**

1. Received a request for a handicap sign at 236 Card Avenue. They have submitted all the necessary paperwork.

**K. PETERSON / REV. D. REEVES TO GRANT A HANDICAP SIGN FOR 236 CARD AVE. MEMBERS VOTED APPROVAL, 7-0.**

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2. Received a letter from Ferree Kennels that he will be retiring as the Dog Law Enforcement Agent this year. The date of retirement is not set yet. The new owners ( Camo Kennels) plan to keep the contracts and billing very similar to how they are now and are hoping for a smooth transition.

**MR. S. SHURGOT: Joe,** can you set up a meeting with them to see what services they are going to provide.

**COMMITTEE REPORTS**

**PUBLIC SAFETY – L. KIRK:** received a letter from a landlord concerning Mr. Hussey. She commended him for a job well done and for interacting with her tenant and discussing safety issues in a professional manner.

For the month of April Eastern Area had 58 calls and made 45 transports. Their average response time for emergencies was 6.8 minutes and for non-emergencies it was 9.4 minutes.

For the month of April the fire department responded to 25 calls, 11 were in town and 14 were out of town.

**CHIEF J. MATRAZZO:** for the month of April we answered 204 calls and made 10 arrests. There were 5 assaults, 3 burglaries, 8 criminal mischief, 19 domestics, 1 drug investigation, 6 hit and run, 5 juvenile, 4 loud music, 3 neighbor disputes, 6 parking complaints, 8 protection from abuse, 2 retail thefts, 2 suspicious persons, 3 terroristic threats, 5 thefts, 4 traffic accidents and 1 wanted person.

**MS. K. PETERSON:** Saturday I got a couple of phone calls about an incident that was happening in front of the school. There was a group of about 25 young people who were getting ready to fight.

**CHIEF MATRAZZO:** Officer Nee got a group going up King's Way and Officer O'Donnell got a group going over the bridge.

**MS. K. PETERSON:** my concern is that the police did not even get out of the car to question anyone.

**CHIEF MATRAZZO:** I will talk to the officers tomorrow and see why they did not get out.

**MRS. P. SHURGOT:** were these kids from town or did they come from out of town.

**CHIEF MATRAZZO:** the mother and her daughters were cited and they live on Patton Street.

**CODE ENFORCEMENT – S. SMITH:** Dave Buskirk worked a total of 28 hours in April. He inspected and issued occupancy permits for the following rental units; 319 Patton Street, 128 Card Avenue, 506 Middle Ave. 1<sup>st</sup> floor, 132 Middle Avenue, Units 42-44-45 and 52 in the Faller Building, Unit 24 in the Park House, 318 Middle Ave. Apt 1R, 508 Airbrake Avenue, 730 Middle Avenue and 628 A Middle Avenue. Inspected and issued permits for 420 Welsh Avenue and 344 Welsh Avenue for the sale of the property. Issued a demo permit for 115 Wall Avenue and a roofing permit for 237 Welsh Avenue.

**PUBLIC WORKS – P. SHURGOT:** we did receive our new lawn mower and they have started cutting the grass. They talked to the COG Vactor operator, they are in the process of weed whacking all the borough properties, and they are filling the potholes and doing maintenance on the summer equipment.

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**ENGINEER'S REPORT:** given at the workshop.

**S. SMITH / K. PETERSON TO START CONDEMNATION PROCEEDINGS FOR 532 AIRBRAKE AND 652-654 MIDDLE AVE. MEMBERS VOTED APPROVAL, 7-0.**

**MS. S. SMITH:** bids were opened for the 2016 paving project. The bids were broken down into two parts, asphalt and concrete. The lowest bid for asphalt is from Victor Paving at \$72,293.00 and for the concrete it was A. Liberoni at \$109,087.50. The total would be \$181,380.50 and the PIB Loan is for \$200,000. Engineering is \$18,138.05 and can be paid by the loan funds. Altogether the cost would be \$199,518.55.

**S. SMITH / K. PETERSON TO AWARD THE PAVING BIDS TO VICTOR PAVING AND A. LIBERONI PENDING THE RECEIPT OF THE LOAN FUNDS. MEMBERS VOTED APPROVAL, 7-0.**

**COG REPORT – K. PETERSON:** COG has taken over the code enforcement for Wilmerding and they are now going to do it for Pitcairn. They also discussed land banks and I asked Mr. Volpe if the school district is participating and he wasn't sure. They would have to join first then the borough would be able to join. I am also looking into a program run by the Allegheny County District Attorney's office for juvenile offenders. This program helps the juveniles do community service and there would be no cost to the borough. They would have their own supervision and we would not have to keep an eye on them.

**MS. S. SMITH:** in the past they were never allowed to use power tools.

**MS. K. PETERSON:** I will check on that.

**BOROUGH PROPERTY – S. SMITH:** I talked to Kevin Brunner and the lock for the door downstairs is in. Linda and I met with a plasterer/painter, Envision Painting, to do the plastering and painting in the stairwell. He would do the stairwell and the entrance way for \$1,000 and he would be done in three days.

**S. SMITH / K. PETERSON TO AWARD THE PLASTERING AND PAINTING OF THE STAIRWELL TO ENVISION PAINTING FOR \$1,000. MEMBERS VOTED APPROVAL, 7-0.**

**UTILITIES – K. PETERSON:** I was asked to check the lighting in Renzie Park and I did check and it is a lower wattage than what we are looking for.

**SOLICITOR – G. EVASHAVIK:** I drafted a new fire inspection ordinance based on the Fire Marshal's recommendations and I made some changes based on Council's review. This ordinance provides for fire safety purposes an annual inspection for all commercial properties and all multi-unit residential properties. This is any building that contains two or more units. The fee structure is \$65 per unit for residential and .38 cents per square foot for commercial. A regular single family dwelling is not subject to an annual inspection until it is sold or new occupants move in. That fee is \$150 for the inspection.

**MAYOR G. JAKUB:** can we put some wording in there that says for sale or rental of the property.

**MR. G. EVASHAVIK:** it is in there under inspections in the last paragraph. The Fire Marshall and/or Fire Code Official is authorized to conduct inspections of single family dwellings upon any change of occupancy or ownership to assure compliance with the provisions of the International Fire Code and Borough Ordinances. Do you want to have a fee schedule for single family dwellings?

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**MR. J. THOMAS:** I think we should discuss the fee schedule with Mr. Hussey at our workshop. We already charge for an occupancy inspection.

**MR. G. EVASHAVIK:** I was also asked to draw up an ordinance to adopt Act 90.

**S. SMITH / P. SHURGOT TO ADVERTISE THE ORDINANCE TO ADOPT ACT 90. MEMBERS VOTED APPROVAL, 7-0.**

**FINANCE – J. THOMAS:**

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

**MR. J. THOMAS:** our delinquent collector, Maiello, Brungo & Maiello, has had good success in collecting delinquent real estate taxes and garbage for us. So far this year they have collected \$4,288.10 in delinquent garbage and \$4,463.00 in delinquent real estate taxes. They are sending out an appraiser to look at some properties that we think we can sheriff sale. They are also taking the three or four highest amounts to the Magistrate.

**RECREATION – P. SHURGOT:** I sent an e-mail to the schools about the Memorial Day essays. The Memorial Day services will be held in the park on Monday May 30<sup>th</sup> at 8:00 a.m.

**PLANNING – REV. D. REEVES:** we are still working on the five year plan for the borough. We are also looking for members to join the Planning Commission. We are also concerned about the creek and if the trees are going to be removed from the basin. Also, how many empty lots do we have? We are going to invite the Zoning Board to our next meeting.

**OLD BUSINESS**

None

**NEW BUSINESS**

**MR. J. THOMAS:** I gave everybody our ordinance on the park and I think we should go over this and how do we want to pursue changing the ordinance. I see kids on the trees and the ordinance states how the park is supposed to be utilized. I think we should review this ordinance and make any changes that are necessary.

**P. SHURGOT:** since the borough building is a smoke free building we need to put up some no smoking signs to let the public know.

**MAYOR'S REMARKS – G. JAKUB:** I would like to thank Mrs. Barrett and her family for keeping me aware and my goal is to see that these ordinances are enforced. If anyone has any questions or concerns about the ordinances please call me. I would also like to thank the Chief for his help. Also, 501 Westinghouse Ave., we have cooperation from Mr. Urban and he is removing the tires and moving the cars out.

**MR. S. SHURGOT:** on behalf of Council and myself I would like to thank you for attending the meeting and bringing us your comments and concerns.

Meeting adjourned at 8:30 p.m.

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