

BOROUGH OF WILMERDING
MINUTES FROM SEPTEMBER 5, 2017 REGULAR MEETING OF BOROUGH COUNCIL

The meeting was called to order by President Stephen Shurgot at 7:00 p.m.

The Pledge of Allegiance was led by the President.

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

REV. REEVES / KAREN PETERSON TO ACCEPT THE MINUTES OF THE AUGUST 11, 2017 MEETING AS PRESENTED. MEMBERS VOTED APPROVAL, 7-0.

PETITIONS & MEMORIALS

P. LIVERATTI: I want to object to the approval of the minutes from last month, my name is spelled wrong in all of it.

T. FRYDRICH WELSH AVE: how long will 324 Commerce Street going to be blocked off and why is it?

S. SHURGOT: there is a safety concern with the building, the bricks started to fall on one side, the fire escapes seem to have gotten looser. We were advised by our building inspector that if you take the height of the building and divide it by 2, that should be the safety area. That distance blocks off Commerce Street, we opened up half of Herman which is cutting it close but we cannot open Commerce. We were hoping at the sheriff sale someone would take ownership and we could push for the repairs on the building but the sheriff sale got postponed till November.

K. MAXWELL 405 HERMAN AVE: is it going to sit like that till November 5th?

S. SHURGOT: It may sit like that longer if the new owner doesn't fix it.

K. MAXWELL: cars are still going up Herman the wrong way. The bus rode over the road closed sign. People are going down Commerce and get to the point where they couldn't make a left and just come up Herman.

G. JAKUB: you saw me and Mr. Hussey took care of that last night.

K. MAXWELL: it hasn't stopped.

S. SHURGOT: the only thing we can do is have Justin try to find a One-Way or Don Not Enter sign and block that.

K. MAXWELL: with the school opened now you have students driving and they're not familiar with the area, you have parents dropping off, East Allegheny school buses picking up and Herman Avenue is going to be a disaster area and if somebody gets hit I'm coming to you guys. I have stopped people multiple times and they don't care. What am I supposed to do?

G. JAKUB: I also talked to the police yesterday to tell them to watch for those cars coming back through the circle.

K. MAXWELL: I stopped an officer on Friday night and asked if they could sit around Herman Avenue. He was sitting in the GO parking lot watching them come up.

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E. BARRETT: the other problem is all the construction crews are still there with their personal trucks. They pull out and make a left hand turn onto Herman. I'm backing out of my driveway and I get yelled at because I didn't look but I'm going the right direction and you're not.

G. JAKUB: I will address that with the school.

E. BARRETT: Maybe if you put some directional arrows on the street. As much as I love these police officers I must say that I have not seen one officer sitting on Herman Avenue or stopping anybody coming the wrong way. The school had the open house for parents and students and we were not informed. The circle was filled with construction trucks, they were moving the signs to let parents in, we couldn't move, and everybody was coming the wrong way.

S. SHURGOT: well I can tell you that council got no notification of an open house.

G. JAKUB: we found out the day of and I sent Kelly a message.

T. FRYDRICH: is council having problems with the new district magistrate as far as people being taken up there and getting off easy?

S. SHURGOT: yes. We are in the process of trying to arrange a meeting.

S. SMITH: the meeting is arranged.

S. SHURGOT: I will give you an example. 116 Card Avenue. People say we haven't done anything with it but I have a file for it. Several months ago we filed a citation and got a \$300.00 fine paid for illegal occupants. They paid \$50.00 a month for 6 months and we were told if it happened again they would get the maximum fine. We had a hearing up there a week ago the individual admitted to having people in there illegally and got fined \$50.00. I called our attorney up and the net time we go to the magistrate for any violation we are going to take whoever from council that can go and we are going to ask the attorney come to show that we are serious about this and this can't continue to happen. We are not getting what we think we should be getting and we would like to know why.

T. FRYDRICH: was the request for a meeting already sent out.

S, SMITH: the request for the meeting has been sent out and is scheduled for the 19th.

S. SHURGOT: I don't know if that's going to change anything but we are going to hear the reason.

P. LIVERATTI: I asked for the delinquents and garbage.

S. SHURGOT: I have a copy right here for you Pete.

E. BARRETT: the lines look great but not one of them is designated a handicap.

T. BARNISHAN: I am a resident of Pitcairn and I am with the Westinghouse Arts Academy. My intention of coming here is to thank everybody for the overwhelming support for the school. I know that I was emailing everybody regularly and I kind of disappeared, partly because my job was to hang back and allow the administrators at the school to have a forefront and get to know the people in the community. However my words still hold true, if there's something that you need I am still a viable avenue to get things done. These 2 ladies brought some concerns which quite frankly were some of our concerns with the contractor regarding trash and things. The early hours and late hours were kind of out of my hands, it was necessary for us to get our occupancy permits and get the kids in on the 5th. I can tell you that will not be going on much longer Part of the obstacle that we have right

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now is that the bylaw states that those contractors cannot be in the same space as the students. So they are forced to come in nights and weekends. I'm thinking 2 maybe 3 weeks you will have to deal with late nates. Early mornings at this point are just going to be children. In regards to the trash, when I leave here tonight I will start making calls to the contractor and everybody involved to get a handle on it. If they don't you can rest assure you will see me and my partner being hands on? I don't know if there's anymore grievances or concerns but if you have any please get my number.

L. KIRK: I mentioned to Paula about the school loading signs, what are the times.

T. BARNISHAN: I wish we had a definitive answer. We don't know because the surrounding school districts won't tell us. They say we will drop them of whenever we drop them off. With that being said we can expect to have kids dropped 7:20 and 7:45 and leaving the building around 2:30.

P. SHURGOT: what are the hours that the school is operating?

T. BARNISHAN: The school day starts at 7:30 and ends at 2:15.

P. SHURGOT: could you get a breakdown of the districts the kids are from?

T. BARNISHAN: I can. I don't know if anyone has formally organized that but I will get that info.

G JAKUB: I know I talked to Sal earlier in the week and he said he needs at least 2 weeks for the dust to settle and he'll be giving us a lot more information.

S. SMITH: several months ago I provided you with some drawings and documentation and we have not received that back.

T. BARNISHAN: I know where they are and I will get those for you. So a lot of you have my number, any grievances, concerns, and suggestions, please feel free to call. I can't thank you enough for your support and for those who want to know, we had a very nice opening day. The teacher, staff and students are very excited. One possible note of interest, one of the teachers is now looking to Wilmerding to find a home.

S. SHURGOT: Tom I can add to that. One of the girls on my soccer team is a freshmen and I asked her how it went. She said it went great and the remodeling looks good.

L. KIRK: how did the lunches work out with East Allegheny?

T. BARNISHAN: that I'm not sure of. I did have a chance to talk to the head chef up there. He seems to have a handle up there and he is confident that he can get the job done.

J. LAWRENCE: thanks so much for everybody's support and for making the building happen.

CORRESPONDENCE

1. We received a letter from Wilmerding Volunteer Fire Department to inform us of a boot drive on September 10, 2017 at 10:00 am at the corner of Patton Street Bridge and Fifth Avenue and also at Patton Street and the Tri Boro off ramp.

S. SMITH/ P. SHURGOT TO RECEIVE AND FILE. MEMBERS VOTED APPROVAL 7-0.

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2. We received a letter from East Allegheny Athletic Association Competition Cheerleading asking for a donation to be put toward their hosted cheerleading competition. The donation will be used to put together Chinese Auction basket, food, and purchase of any items needed for the competition.

J. THOMAS/ K. PETERSON TO DONATE \$50 FROM THE PLGIT GENERAL FUND. MEMBERS VOTED APPROVAL 7-0.

COMMITTEE REPORTS

PUBLIC SAFETY – L. KIRK: The EMS for August responded to 56 calls and had 44 transports. Their average response time for emergencies 7.1 minutes and for non-emergences was 8.8 minutes.

The fire department responded to 21 calls, 7 were in town and 14 out of town, 3 work details, and 3 trainings on equipment and apparatuses.

INSPECTOR KEARNS: for the month of August we had 346 events. 5 abandoned vehicles, 5 animal complaints, 3 assaults, 56 assist to other departments, 4 criminal mischief, 1 death investigation, 3 disorderly conduct, 8 domestic disputes, 1 DUI, 1 fraud, 6 harassment, 8 local ordinance, 3 motor vehicle crashes, 6 narcotics, 4 PFA's, 4 theft, 80 traffic stops, 3 warrants, and 3 weapons. There were a total of 25 arrests. 1 PFA violation, 2 simple assaults, 3 narcotics, 3 DUI's 3 theft, 1 firearms violation, 2 harassment, and 2 warrant.

S. SHURGOT: you said that there were 56 calls to assist police in other areas, are those calls included in the arrest totals?

INSPECTOR KEARNS: All of the arrests made are centered around Wilmerding.

S. SHURGOT: everyone received the Code enforcement report from the TCVCOG.

PUBLIC WORKS – P. SHURGOT: I don't have a lot to report due to our foreman leaving. I had him doing a project before he left to order new signs and our budget is already over. We budgeted \$500.00 for the year. We are already at \$516.00 and I need signs changed for the school. I think we need a sign on Station Street that Herman Avenue is a One Way and also a Do Not Enter. I ask that we can increase our budget at least another \$150.00 for the year

P. SHURGOT / K. PETERSON TO INCREASE THE SIGN BUDGET AND PUT UP SIGNS MENTIONED. MEMBERS VOTED APPROVAL 7-0.

We did interview from the ad we posted. This is a gentleman most of the people in the audience will know. Anthony Krisher. He was a former employee of the Borough street department for 1-1/2 years. He is wishing to come back at this time for \$16.25 an hour with single person benefits and re-evaluation after 180 days.

P. SHURGOT / S. SMITH TO HIRE ANTHONY KRISHER AT \$16.25 / HOUR WITH SINGLE PERSON BENEFITS. MEMBERS VOTED APPROVAL 7-0.

ENGINEERS REPORT – D. GILLILAND: the CD 42 Demolition project has been completed, that was 401 and 409 Welsh Avenue. Wall Street porous pavement project has been completed. The gas and water company who worked above the site have not completed their portion but we are working with them and prodding them to get it done ASAP.

S. SMITH: I was lucky enough to be the 1st person to drive up that way and the gentleman from Vigliotti said he had video from the rain the day before. I have not received the video can you please follow up.

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P. SHURGOT: with the gas and the water are they going to repair the whole street or just where they dug.

D. GILLILAND: the water was going to be just the one little strip but Bob was talking to the gas company and trying to get them to do the whole street but they're not required to. We have 2 upcoming demolition projects that we are waiting for COG to get advertised. One is through the CITF gambling money, there are 6 structures on that and 2 structures on the CD 43 project that the COG will advertise in a couple months. Finally, CD 44 pre applications are due September 8th. We don't have anything yet for the Borough. The only one you have from last year that was not funded was the renovation of Airbrake Park. Do you want to resubmit that?

S. SMITH: YES

J. THOMAS: what value was that?

S. SMITH: I think the surface was around \$36000.00. It was a big project.

J. THOMAS: do you have any idea if it's going to be basically the same as what we get in the past?

D. GILLILAND: no they changed that you only get \$20,000 and its every 3 years; I don't know where you are in the rotation. \$20,000 is the minimum for any project you put in now. But you can put in for street paving, recreation, sewer or water projects, or public works projects. The county is much more competitive now but there's not as much grant money. Right now in the Trump budget this program is not funded so they still want you to put applications in incase it gets funded but if Trump doesn't sign it then there will be no funding.

D. REEVES: What about Caldwell Street. Is it on the list?

S. SHURGOT: it's on the other grant.

J. THOMAS: it's on the other grant that we did for a half million dollars. What's the status of that?

D. GILLILAND: We haven't heard anything from the state?

J. THOMAS: no. Caldwell is on that one. I would think the playground would be a priority.

K. PETERSON: what about the walls on Card Avenue

D. GILLILAND: we've applied for those every year.

COG REPORT – K. PETERSON: just general business on COG there wasn't anything specific to us. I contacted someone at FIOS and at this time they are anticipating doing anything further but they will relook at it as our populations' increases.

BOROUGH PROPERTY – S. SMITH: no report

SOLICITOR – G. EVASHAVIK: I'm working on a new ordinance at the request of council and the engineer for street openings. Primarily when utility companies come in and they open up the street were allowed to regulate how they restore and resurface that street. We want to change that so we can improve the specifications they have to follow so it's done more evenly and more matched to what exists and to require in many instances that they have to repave curb to curb. I will email it for your review.

S. SMITH / P. SHURGOT TO ADVERTISE THE STREET OPENING ORDINANCE THAT THE SOLICITOR IS WORKING ON. MEMBERS VOTED APPROVAL 7-0.

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G. EVASHAVIK: regarding the Faller Building, the finance company has started a mortgage foreclosure action and it was scheduled for sheriff sale today at 9 a.m. This is Bayview loan servicing which is a Delaware corporation against Sean Kerrigan who owns the structure. They have filed a court order recently issued which postponed the sheriff sale from today until November 6, 2017. So this pertains to the condition of the building and as Steve had indicated once councils on notice that there's possible structural danger regarding a property, we are under a mandatory obligation to undertake public safety measures. It certainly is an inconvenience and it could go on for a long time because we don't have the money to go in and fix it so we are just waiting to see ultimately who will be responsible. In the mean time we have to protect the public. So Bayview postponed but eventually when the sale conclude they would take ownership of the property which would be better for us because we would have a viable entity to pursue to compel these repairs. They have entered a rit of excitation already against Kerrigan for \$670,000 plus \$56,000 interest. In addition we have municipal liens and unpaid taxes. So you're looking at \$750,000 maybe more that someone would have to pay to satisfy all these liens and the properties not worth that.

S. SHURGOT: one other update on 318 Miller Avenue. Again there was trash put out in front of the building and we got it cleaned up. I spoke with the building inspector and the code officer and said this can't be a weekly thing. I checked with the building inspector and there's not supposed to be anyone in this building. They were allowed to go in and clean out refrigerators and they are well past that deadline. Right now people are doing clean out and we already cited Mrs. Keyser so she's in the process of getting a dumpster. I asked the building inspector to put a pad lock on there where they would have to sign out the key. We are in control of the building and no one should be in it.

G. EVASHAVIK: I received in the mail today a motion to withdraw the litigation and full trial we went through to take possession of the building and remove the tenants for safety reasons. Sean Kerrigan had an attorney who filed a motion to withdraw her representation because she had not been paid.

J. LAWRENCE: so I have represented Bayview since they started making loans like that several years, I haven't now for 10 years, but their pattern is when they get into a situation where their aware of pending fines they will simply continue to postpone that and try to sell the loan off to somebody. A lot of municipalities will contact Bayview and tell them you have to fix this and that alerts Bayview not to complete the sheriff sale. They just won't complete it if they think you're going to hold them responsible to fix it. So it's always best to keep a very low profile until they have the sheriff sale.

G. EVASHAVIK: that's good advice and I wouldn't reach out to them anyway since they don't have any legal obligation at this point.

J. LAWRENCE: citizens frequently do so what I'm trying to say is if anybody was thinking about calling them please don't because they would be highlighted to the fact they should not take title to this and they won't have the sheriff sale.

FINANCE - J. THOMAS:

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

RECREATION - P. SHURGOT: working on Halloween. It's looking like we are going to do everything on the 31st.

PLANNING - REV REEVES: we had a very interesting meeting and I will let the President explain about the vacant property and demolition land that's available. My dream is about to take place to get a playground.

J. TOMASIC: it's very hard to plan something when you don't own the land and all the grants available are either a split between boroughs or you have to own the piece of ground. Just recently on the 400 block of Welsh Avenue we

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torn down 2 burned out houses. So we are looking at that ground and looked at some grants to see if it was possible. We are going to approach council with a letter asking them to acquire that property. There are 4 available and we would like to get that property. So we've been evaluating these parcels to see if it's worthwhile for the Borough to take it all over or to leave it in a 3 way split with the county and the school.

R.REEVES: I got a call from the owner of the new daycare and she is looking for help.

OLD BUSINESS:

S. SMITH: I heard from the Pitt makes a difference and it will be October 21. I have already filed out the application to bring in the students. Anybody who is interested let us know.

NEW BUSINESS:

S. SMITH: recently it was brought to my attention that the lions club charged for the electronic sign because of the updating fee. I guess my question is we were thinking \$10.00 for people in town and \$20.00 for people out of town. Previously it was \$20.00 no matter who you were.

S. SHURGOT: I know there is a maintenance contract every year. I think we should charge \$20.00 flat for anybody.

J. THOMAS: there should be a time frame.

S. SMITH: in my experience it is never less than 4 weeks.

S. SHURGOT: what if crime watch wants something on the sign are we going to charge them?

S. SMITH: It's a borough sign

S. SHURGOT: I think if something related to the borough wants to advertise something it should be free.

S. SMITH: I agree

S. ZIBRAT: When did that sign become the Boroughs? It was the Lions club and Compass.

S. SMITH: when the Lions club disbanded.

G. JAKUB: it was a joint project for years. The Lions club always wanted to do the sign but did not have enough money so Compass went in with us.

S. SMITH / K. PETERSON TO CHARGE \$20.00 FEE TO ADVERTISE ON THE ELECTRONIC SIGN EXCEPT FOR BOROUGH ORGANIZATIONS. MEMBERS VOTED APPROVAL 7-0.

K. MAXWELL: will that be effective immediately?

S. SMITH: effective immediately.

L. KIRK: we have the flyer out about the next crime watch meeting on September 11, 2017. There will be someone from AAA and the topic will be child safety with Halloween coming up. Officer Spaglinetti is still running his safety inspection of child seats September 21, from 3-6 at P & J motors on Airbrake Avenue.

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S. SHURGOT: One thing I want to add about the car seats. There's a date on those and it's very important you follow that. Things get worn out or the warranties expire and it's a danger to kids because they update things all the time. It is important when they offer these that people come out and get it done.

S. SMITH: there was interest on our Wilmerding events page for a flea market in the park. I know in the past Karen has tried this. We have had some interest and it is scheduled October 14 from 9-3. No registration fees, for information call Caroline. Just bring your stuff and set up in the park. I will put flyers around town and in the businesses.

MAYOR REMARKS – G. JAKUB: we made headway toward getting the siren situated? With all this talk about what's going on in Houston, if we have an emergency in this town, I don't know if I can get Pastor Reed to play something on there but that's the only thing we have right now to notify our residents if something occurs.

S. SMITH: Pastor Reed would gladly do something like that for you but I don't know how long it would take to program it.

G. JAKUB: If we had an emergency and started blowing the siren as we used to it would at least alert that something is going on. Now we're SOL.

J. THOMAS: well I made a motion 2-3 months ago to get a compressor down stair for the fire department and the road department. I was under the impression that we get this would be 6ft tall and hold 150#. To operate that horn it operates between 100 and 130# so I don't know how long it would last. For that compressor to fill the tank, we'd have to talk to the guys that came out and looked at the old one. I was under the impression that we were going to use it only in the building.

G. JAKUB: I understand that but being the Emergency Management coordinator as well as the mayor, we need to do something. The other thing is I would like to congratulate all the members of the school for getting it up and operating. We also need to thank Joe Eori for sending the separate truck to 318 Miller. Mr. Hussey has been very helpful; he helped me set up the new line of traffic with the cones and the tape.

T. FRYDRICH: I'm curious about the property lines between Mr. Hussy's property and 205 Welsh. Who owns that?

J. THOMAS: if you go to the county website it will show the dividing line is. I think that road is private property. We salt that because for the last 100 years we have so we basically took over maintenance of that but it is not ours

T. FRYDRICK: what I was worried about was the runoff, it's all washed out and the bricks are getting bad back there.

Meeting adjourned 8:09 p.m.

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