

BOROUGH OF WILKINSBURG COUNCIL MEETING

**Planning Session
September 1, 2010**

CALL TO ORDER

Council President Moore called the meeting to order at approximately 7:10 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkesburg, PA.

ROLL CALL

The roll was called to establish a quorum. Present were: Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin and President Moore. Also present were Mayor John Thompson, Marla P. Marcinko, Borough Manager, and Isobel Storch from the Law Offices of Patricia McGrail, L.L.C. Borough Solicitor. Mr. Cohn was absent. A quorum was established.

PLEDGE OF ALLEGIANCE

President Moore requested a moment of silence in memory and honor of Donald Eubanks who was a long-time resident of the Borough of Wilkesburg. She also requested a moment of silence for all victims of violent crime.

SPECIAL PRESENTATION

Mayor John Thompson and Police Chief Ophelia Coleman recognized participants of the Wilkesburg Youth Citizens' Police Academy with the distribution of book bags. Mayor Thompson turned the meeting over to Sgt. Wayne McKenith to recognize the participants individually and distribute the book bags. There were a total of twenty (20) participants with fifteen (15) participants present to receive their book bags. The Wilkesburg Youth Citizens' Police Academy participants ranged in ages from six to sixteen. Mayor Thompson presented Sgt. Wayne McKenith with a Certificate of Appreciation for conducting the Wilkesburg Youth Citizens' Police Academy. Sgt. McKenith thanked the other Police Officers and Firefighters who assisted in making the program a success and provided a brief overview of the class with an impromptu mock court room being a highlight of one of the classes.

Chief Coleman announced the next scheduled Citizens' Police Academy class for adults will begin Wednesday September 15, 2010.

PUBLIC COMMENT

John T. Ward – 1221 Swissvale Ave. – Commented on problems related to the movement of traffic in the area of Swissvale Ave and Hill Ave and the number of accidents and noise due to heavy traffic in this area. Mr. Ward presented several suggestions to address these issues including lower speed limits and establishing Hill Ave as a one-way street, westbound.

Mr. Lewis commented that he agrees with many of the points made by Mr. Ward and that there is the need from some measure of control.

Council requested that the Borough Engineer review this matter and provide a recommendation.

Eric Graybill – 1045 Blackridge Rd. – Advised that he is the Government Liaison for the Wilkinsburg Redevelopment Authority. He commented that an e-mail communication distributed by Kate Luxemburg had been misunderstood by some members of Council and clarified that the WRA had not commenced eminent domain proceedings on a property. Mr. Graybill advised that he believed the WRA provides a vehicle to offer a more efficient process for returning unproductive properties to productivity.

Ms. Macklin inquired of Mr. Graybill as to what outcome he was seeking from Council. Mr. Graybill advised that the WRA would like to work with the Borough and the Redevelopment Authority of Allegheny County to expand upon the current efforts in dealing with vacant property.

Ms. Evans advised that she has additional information related to this matter which she will bring up under New Business.

Kate Luxemburg – 432 Rebecca Ave. – Expressed concern that crosswalks are not painted at all of the schools in the Borough. Ms. Luxemburg questioned the agenda item relating to refuse collection for 6+ units and the need to calculate the true cost for the Municipal Service Fee. Ms. Luxemburg commented that the number of properties being processed through the County's Vacant Property Recovery Program is not keeping pace with the number of properties going vacant in the Borough. Finally, Ms. Luxemburg commented on her understanding of a potential conflict with Councilwoman Tracey Evans serving as a member of Council and as the Executive Director of the Wilkinsburg Community Development Corporation and her understanding that the Borough Solicitor had issued an opinion on same.

Ed Larkins – 908 Wood St. – Commented that he had received citations for loitering outside of his business on Wood Street and believes he is being targeted.

Mayor Thompson commented that Council has amended the loitering ordinance and that all supervisors in the Police Department received instruction on its enforcement.

Mayor Thompson further commented that if Mr. Larkins believes he is being subjected to selective enforcement, he may file a formal complaint. Councilman Lewis questioned if other businesses have chairs in front of their establishments and commented that the Borough must be consistent with enforcement. Mr. Lewis commented on the efforts of the City of Pittsburgh to provide grants to businesses to establish outdoor seating at their establishments.

Brian Maloney- Eastern Area Pre-Hospital Services – Mr. Maloney reported a total of two-hundred ninety (290) calls for the month of August. He reported a phenomenal emergency response time for the month of August of six minutes and three seconds (6 min. 3 sec.). Non-emergency response time was nine minutes thirty-one seconds (9 min. 31 sec.). Mr. Maloney advised that EAPHS participated in community Night Out and Community Day. Staff also conducted blood pressure clinics and stand bys at football games. Mr. Maloney introduced David Wilson who will be assisting him with public relations activities. President Moore inquired as to whether calls for respiratory distress had increased with the hot weather.

ORDINANCES ON FIRST READING

Ordinance No. 2848

Establishing Handicap Parking Space – 1348 Penn Ave.

Moved: Ms. Ervin

Second: Ms. Macklin

Yes: Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, President Moore

Motion carried

Ms. Marcinko read an email from the Firefighters Local 839 thanking Wilkesburg residents for their support for the annual fundraiser "Fill the Boot" Campaign.

REPORT FROM THE MAYOR

Mayor Thompson reported:

- Fifty seven (57) arrests were made last month.
- One homicide occurred with an arrest being made within twenty-four (24) hours.
- Applications will be accepted for Police Officers through Tuesday, September 7, 2010 at 3:30 PM.
- Directed patrols are being conducted as well as a foot patrol on Penn Ave.
- The Adult Citizens' Police Academy will begin on Wednesday, September 15, 2010.
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- An Open House will be held at ALCOSAN on Saturday, September 18, 2010 to educate the public about sewer overflows and introduce the public to the treatment plant facilities.
- A home ownership education workshop is being planned and to be sponsored by Dollar Bank.

Ms. Macklin questioned the filling of shifts with officers out on medical leave. She requested Council hire part-time police officers and advertise for the hiring of part-time police officers. Mr. Lewis commented on the hiring process which was discussed by the Personnel Committee and that there need not be a specific advertisement for part-time police officers and that Council could hire full-time or part-time officers from the eligibility list currently being established.

REPORT FROM COUNCIL PRESIDENT

President Moore provided the Adult Library Report and reported:

- The Library is focusing on a program relating to career discussions and is seeking individuals interested in talking about their profession. Anyone interested should contact Betsey Swartz at 412-244-4377.
- Wise Walk will be starting Tuesday September 14, 2010. Registration forms are available in the Library. Each Tuesday, at 10:00 AM, interested individuals will meet to walk around the Wilkinsburg Business District for about thirty (30) minutes. Flyers will be posted in the Library and Municipal Building. Betsey Swartz is the contact person for this event.

President Moore commented that the end of summer is approaching and requested all in attendance to look out for their neighbors, in particular the elderly.

REPORTS FROM COMMITTEES

Capital Planning Committee- Ms. Macklin reported:

- The Committee did not meet in August.
- The Committee would like to meet with the Parks and Recreation Committee. Ms. McCarthy-Johnson advised that the meetings are typically held on the third Thursday of the month. The next meeting will be held on September 16, 2010 at 7:00 PM.

Personnel Committee –Ms. Trice reported:

- The Committee met on August 11, 2010 and completed policies for progressive discipline, electronic equipment usage, drug and alcohol and drug free workplace.
- The Committee will be discussing current vacancies and creative ways to address these issues particularly in light of budgetary constraints.
- The next meeting will be held on Wednesday September 8, 2010 at 6:00 PM.

Public Safety Committee –Mr. Lefebvre reported:

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- The Committee did not meet in August.
- The next meeting will be held on September 15, 2010 at 5:30 PM in Council Chambers.

President Moore requested a report on the Community Day event. Ms. McCarthy-Johnson advised that it was a success. She reported there were a lot of food vendors, a health fair, and inflatables for children, jewelry making, foam picture frame making, bingo, an adult hoola-hoop contest and Wilkinsburg Idol.

WPJWA (Wilkinsburg Penn-Joint Water Authority) - Mr. Lewis reported:

- The Authority nearly reached its goal for the installation of MIUs over the summer months. There is no fee for installation.
- The Authority hopes to launch its website on October 1, 2010.
- By 2011, customers will be able to pay their bills on-line.

President Moore inquired as to Mr. Lewis' progress in recruiting youth for Junior Council member seats. Mr. Lewis advised that his contact person no longer works for the Wilkinsburg School District and that he will contact Superintendent Perrin.

OLD BUSINESS

Ms. Macklin commented and requested that the dates and times of the monthly Council committee meetings be published in the Wilkinsburg Sun and posted on the Wilkinsburg website.

NEW BUSINESS

Ms. Storch requested Council authorize a resolution reaffirming the Borough's submission of potential properties for the County's Vacant Property Review Program in accordance with the program guidelines including using RAAC's Vacant Property Review Committee as its vacant property review committee.

Moved: Ms. Evans

Second: Mr. Lefebvre

Ms. Macklin suggested, given the concerns of the Wilkinsburg Redevelopment Authority, that a meeting be held with the County, Borough Council, Authority and Joint Tax Committee members to discuss the issues. Ms. Macklin expressed concern with some of the provisions in the Agreement between RAAC and the Borough.

Ms. Evans commented that she had spoken with representatives from the County and understood that the Borough had been suspended from the Vacant Property Recovery Program and the serious ramifications which could result, particularly with projects that are currently funded.

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Ms. Marcinko concurred with Ms. Evans' concerns and her understanding of the County's position based upon a conversation she had with Ms. Collinge in the RAAC office. Ms. Marcinko advised that the Borough forwarded two copies of the VPRP Agreement to the County in July, 2007 and the County never returned a fully executed copy to the Borough.

Ms. Storch, Esquire of the Law Offices of Patricia McGrail, L.L.C. Borough Solicitor restated the County's position on the suspension and the need for Council to take the action requested by the County in order to have the suspension lifted.

Kate Luxemburg commented that the VPRP agreement states that the Borough cannot participate in any other vacant property recovery program and her opinion that the tax compromise program could be considered a vacant property recovery program.

Ms. McCarthy-Johnson requested the eminent domain process. Ms. Storch described the process and advised that generally, eminent domain is the governmental acquisition of property for the benefit of the overall community.

Ms. Storch advised that the action taken by Council in 2007 established that the Borough would utilize the County's vacant property review committee as its vacant property review committee.

Mr. Lewis inquired as to the role that the County expects the WRA to play. Ms. Storch advised that the County is not responding to that matter and that the WRA can still process properties through the County's program.

Ms. Macklin commented that the WRA may be able to process properties through eminent domain faster than the County.

Ms. Evans commented that the Wilkinsburg Municipal Authority and the Wilkinsburg Commercial and Industrial Development Authority have the ability to take property through eminent domain.

Ms. Luxemburg stated that staff at the RAAC did not realize that dialog had occurred with Director Dennis Davin and again expressed her opinion that the cost and time required for the WRA to complete eminent domain proceedings would be less than the County.

Mr. Graybill advised Council that he had spoken with the RAAC's attorney as well as Dennis Davin and that the WRA's intention to utilize eminent domain to acquire property was clearly communicated.

RESOLUTION

Resolution of Council reaffirming that it will submit potential properties for the program in accordance with the program guidelines including using the RAAC's Vacant Property Review Committee as its Vacant Property Review Committee.

Moved: Ms. Evans

Second: Mr. Lefebvre

Yes: Ms. Evans, Mr. Lewis, Ms. McCarthy-Johnson, Mr. Lefebvre, President Moore

No: Ms. Ervin, Ms. Macklin

Abstain: Ms. Trice

Motion carried 5:2 with one abstention

Mr. Lefebvre informed members of Council of the discussions the Finance Committee has had relating to upcoming term expirations on refuse collection contracts. Mr. Lefebvre referred Council to information distributed relating to municipal service fees billed and collected. 1-5 unit properties represent 7,279 units. 6+ unit properties represent 2,953. Waste Management's contract is \$573,711.84 for the year. The City of Pittsburgh's contract is \$795,675.00 for the year. It is the position of the Finance Committee that the Borough is billing and collecting at least \$130,761.84 less than it is being billed by Waste Management.

Ms. Macklin questioned the basis upon which the unit fee was established when the unit numbers were initially determined and her understanding that uncollectables had been included in the calculation. Ms. Marcinko advised that the unit information utilized when the contract was first negotiated in 2006 could never be located and verified.

Mr. Lewis commented that the numbers provided do not include anticipated receipts through the end of the year.

Mr. Lefebvre proposed that the Borough continue to contract for refuse collection for 1 to 5 units and require property owners of 6+ units to contract with a hauler, independently, for refuse collection.

Ms. Macklin inquired as to the negatives with this type of arrangement.

Ms. Evans commented that many businesses have asked for the ability to contract on their own.

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Mr. Lewis commented on the importance of notifying property owners as soon as possible of any proposed changes.

Ms. McCarthy-Johnson expressed her concern on the rates of collection.

Ms. Ervin commented that this change may result in more litter on the streets.

ADJOURNMENT

Being no further business, on motion **by** Mr. Lewis second **by** Ms. Ervin the meeting was adjourned at approximately 9:23 PM.

Eugenia Moore, Council President