

BOROUGH OF WILKINSBURG COUNCIL MEETING
Planning Session
December 7, 2011

CALL TO ORDER

Vice President Cohn called the meeting to order at approximately 7:12 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkinsburg, PA. Mr. Cohn established a phone connection with President Moore and announced that Council held an executive session prior to the meeting to discuss litigation and personnel matters.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Vice President Cohn announced a special presentation will be given by Joan King, a representative of the Citizens' Advisory Committee on Shade Trees.

SPECIAL PRESENTATION

Citizens' Advisory Committee on Shade Trees – 2011 tree removals.

Joan King addressed Council regarding recommended tree removals for 2011. The removals being recommended include those which were on the 2010 list and are based upon the street tree inventory conducted by NMRWA. Several on the list are high priority and several can be removed by the Borough's Department of Public Works but the current funding which remains is sufficient to cover all the recommended removals. Ms. Ervin inquired about trees on private property which are high priority such as those located at 1002 Franklin and 505 Coal Street. Ms. King responded that, while a responsible owner cannot be identified, the trees are in very poor condition. Ms. Macklin questioned establishing a precedent for the removal of trees on private property. Mr. Racunas commented that the liability ultimately rests with the property owner and that the Borough has no obligation to remove the tree.

Ms. Marcinko commented that the ordinance provides for the removal of trees which are hazardous or constitute a threat to public safety. The decisions regarding which trees to be removed have often been discussed by Council and the expertise of the great group of

volunteers who serve on the Committee has been recognized as well as the expertise of the Borough's arborist, Bob Crusan. Ms. Marcinko further commented that the ordinance does give the Borough the authority to address potentially hazardous trees on private property, immediate hazards on private property, and potential hazardous trees in public areas and immediate hazards in public areas. President Moore commented that trees which could impact the safety of residents should take priority over trees in backyards. Mr. Cohn commented that the particular trees in question are located in high traffic areas and he is in agreement with the Committee's recommendations. Ms. Trice questioned whether the trees are considered dead. Ms. King responded that the trees are indeed dead. President Moore questioned whether the Committee and/or the arborist confirmed that the trees are dangerous. Ms. King advised that she and the arborist inspected all of the trees and deemed them to be dangerous. Ms. King commented about the poor condition of the tree at 1416 Coal Street. Mr. Cohn inquired as to the continued involvement of Urban Tree Forge with the Committee's activities. Ms. King responded that there will be continued involvement through Jason Boone of Urban Tree to maintain the relationship with the Borough which was established by Urban Tree Forge. Ms. Macklin questioned how the selections of trees on private property were made. Ms. King responded that the tree located on Franklin Avenue was reported by a resident who wrote a letter. Ms. King commented that the Committee is having difficulty accessing data on NMRWA's tree inventory and that improvements to the selection process are needed. Ms. Evans commented that the costs incurred for the removal of trees on private property should be liened against the property owner and that she supports the Committee's recommendations with the condition that the vacant property owners are held responsible for the costs incurred for the removal by way of a lien against the owner. Ms. Evans asked about the review, by the arborist, of the proposed Penn Avenue plantings and the ability of DPW to remove the trees where there are to be new plantings. Ms. Ervin questioned the status of a dangerous tree on Sloan Avenue near Ms. Hawkins' fence that is located in a lot behind her home. She requested that the Borough inspect that tree. Ms. Macklin informed Council about a tree falling onto a home on Montier Street.

Ms. McCarthy-Johnson arrived at 7:30 p.m.

Council discussed the process by which to determine which trees are selected for removal. Mr. Cohn expressed thanks to the Shade Tree Committee members.

A motion was made by Ms. Evans, second by Ms. Macklin, to authorize the execution of an agreement to the lowest responsible bidder for the 2011 tree removals as recommended by the Citizens' Advisory Committee on Shade Trees and per the recommendation of the Borough arborist.

Mr. Lefebvre questioned whether the first two properties on the list would be liened for the cost of the removal. Ms. Macklin questioned whether it was the intent of President Moore to vote via telephone. Mr. Cohn commented that this has been cleared by the Solicitor. Ms. Macklin further questioned whether any Council member can vote by phone and whether this is an absolute or a practice to be established by policy. Mr.

Racunas advised Council that there is no violation in voting via speaker phone provided the party participating by phone can be heard. He further advised Council that this is permissible by law unless otherwise limited by public policy. Mr. Cohn commented that, absent a policy, any Council member could participate by phone. President Moore questioned whether there was an issue with her participating via phone. Ms. Macklin commented that this was new to her and questioned the legality. Ms. Evans commented that she would like to look at establishing a policy in order to prevent abuse of this practice in the future.

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

Motion carried

REPORT FROM COUNCIL PRESIDENT

President Moore:

- Thanked everyone for the phone calls and cards of support she received following her surgery and she advised that she is progressing well.
- Commented that the demolition on Wood Street and Tioga Streets is a great improvement.
- Recognized the nice work on the Holiday Parade and the decorations at the Municipal Building

Vice President Cohn presented the Library Report to Council:

- The Library is sponsoring a Christmas and Kwanzaa Coloring Contest in the Children's Department. Also, a Holiday Program is planned for Saturday, Dec. 17, 2011 at 1:00 p.m. Please contact Molly Herbert at 412 244-2944 for more information.
- A Holiday Story Time is planned for Eastridge Branch Library on Saturday, Dec. 21, 2011 at 11:00 a.m. Lisa Barnes will be featuring stories, a craft, and refreshments. Reserve your space now by calling Lisa at 412 342-0056.

REPORTS FROM COMMITTEES

Capital Planning Committee – Ms. Macklin reported:

- The Committee met on November 30, 2011. The committee members in attendance were Ms. Ervin, Mr. Lefebvre, Ms. Macklin, Ms. Trice and the Borough Engineer. The Committee reviewed all recommendations for capital projects. The committee has not yet prioritized the recommendations and is waiting on a few numbers. Historically, capital improvements have not been put in the budget. No details were available to allow for some flexibility and in consideration of other grant funding.
- The next meeting is scheduled for January 25, 2012 at 6:00 p.m. in Council Chambers.

Ms. Evans reported that she attended a meeting with PHLF and Tri-State Capital Bank regarding demolition of the Penn Lincoln Hotel. Demolition costs have been estimated in excess of \$500,000 with approximately \$750,000 for environmental remediation costs. There was a request for two rounds of funding through CITF for the maximum of \$500,000. Ms. Evans suggested that Council may want to consider a local match toward the project. She stated that the building is in a state of collapse and poses a threat to public safety. She further commented that there is a plan for reuse. Ms. Evans suggested that the Borough consider a \$250,000 local share. Ms. Evans recognized the efforts of the Capital Planning Committee and recommended that a comprehensive capital improvement plan be reviewed by full Council with the intent on developing a strategy to move forward. Ms. Ervin questioned the ownership of the Penn Lincoln. Ms. Evans advised that the structure is owned by Deliverance Baptist Church, with PHLF holding a lien against the property on which they are ready to move forward to take the property. Ms. Evans commented that there may be a benefit to the Borough in owning the property. The consensus of those in discussions was that the most desirable plan for the property is a new building with office space. Mr. Cohn commented that the proposal is interesting and questioned the legality of utilizing bond proceeds for this purpose. Mr. Cohn also commented on the need to discuss projects more fully. Ms. Macklin agreed that the projects needed to be reviewed by full Council. Ms. Marcinko explained the process for use of the bond proceeds.

Finance Committee – Mr. Cohn reported:

- There was no Finance Committee meeting in December.
- The budget is currently the main topic and needs to be discussed by full Council. There are several small decisions which need to be made.

Personnel Committee – Ms. Trice reported:

- The Committee met on November 28, 2011.
- The Committee discussed the standardization of benefits for manager's employment agreements. Ms. Trice commented that she sent an email to full Council summarizing what was discussed at the meeting.
- There was no COG meeting in November.
- The Personnel Committee will meet again on December 14, 2011 at 6:00 p.m.

Mr. Cohn asked if a vote on the standardization of benefits is expected at the next meeting. Ms. Trice advised that she will bring the issue up under New Business.

Public Safety Committee Report – Mr. Lefebvre reported:

- The Committee met on November 16, 2011.
- The Committee discussed the new Code Enforcement Department programs for implementation in 2012.
- Two new cruisers were purchased for the Police Department.

- Both the leaf machine and street sweeper are working and leaves are being collected during regular street cleaning days.
- The next meeting is scheduled for December 21, 2011 at 5:30 p.m. in Council Chambers.

Mr. Cohn inquired as to the results of the leaf waste collection which was held on Saturday December 13, 2011. Mr. Lefebvre commented that, as far as he knew, leaves were collected.

Ms. Macklin inquired as to the date of the next Finance Committee meeting and the need to discuss Business Privilege Tax collection and TCVCOG MSF collection.

Report from Borough Manager

Ms. Marcinko advised that an amendment to the Eastridge Branch Library sales agreement has been prepared and Council approval on same is required. The addendum to the sales agreement extends the closing date to allow time to resolve the issues with the failed dye test. The Borough is holding the current property owner responsible and is assisting with obtaining additional estimates for the work. The amendment also eliminates the requirement for approval by the Orphans' Court as the title insurance company is no longer requiring court approval. Ms. Marcinko is requesting Council approval of the addendum.

Moved: Ms. Macklin

Second by: Ms. Trice

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

Motion carried

Ms. Marcinko advised Council of a draft lease agreement contained in the information packet provided which would allow for the continued lease of office space in the Eastridge Branch Library to the Presbyterian Church. This opportunity will generate additional revenue for the library.

OLD BUSINESS

Mr. Cohn opened discussion on the proposed budget adjustments and read the list of same. Mr. Cohn discussed the proposed adjustments in relationship to COLA salary increases for managers.

Ms. Trice suggested an increase in the budget figure to provide for landscaping at the Borough Building. There was discussion about additional staffing in the Code Enforcement Department. Ms. Macklin advised that she had originally expressed concern with the manner in which the fire pension service credit was applied but that

issue has since been resolved. She further commented that the Library deficit is doubling, which is a concern, but she understands that the problem is predominantly a technical issue. Ms. Ervin inquired about monies for proposed improvements to the flagpole and landscaping. Ms. Trice proposed \$1,500 for the project. Ms. Evans advised that the project will require approval from the Community Art and Civic Design Commission. It was the consensus of Council to budget \$5,000 for landscaping and flag pole repairs. Ms. Macklin commented about the Sewer Fund and the work required at Center Street and Woodworth Street. She commented that the work required for the project will deplete the remaining fund balance. Ms. Macklin suggested an increase to the Wilkinsburg surcharge. She suggested sending the calculation to everyone which would reflect an increase of approximately \$0.67/month to residents. This will assist in rebuilding the fund balance in the Sewer Fund. Ms. Ervin questioned if Ms. Macklin's suggestion for an increase to the surcharge was a result of the Borough Engineer's comment on the Borough rate increasing when ALCOSAN increases are passed on with Ms. Macklin's answer being yes.

A motion was made by Ms. Evans, second by Mr. Lefebvre, to restrict the time that banners may be in place on Penn Ave to a two-week maximum from the day that they are put up to the day they are taken down.

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

Motion carried

NEW BUSINESS

Ms. Trice requested that Council accept the changes recommended by the Personnel Committee regarding the standardization of benefits for manager employment agreements. Ms. Trice informed Council that the terms of the contracts are due to expire December 31, 2011. This item will be placed on Council's next agenda.

Ms. Macklin recognized Carnegie Mellon students, Wilkinsburg High School students and teacher Tim Weinstein for their work on the holiday decorations at the Borough building.

Ms. McCarthy-Johnson announced that the Wilkinsburg Toy Drive will be held on December 17, 2011 at 11:00 a.m. at either the H & R Block Building or the Municipal Building Auditorium.

ADJOURNMENT

Being no further business, on motion by Mr. Lefebvre second by Ms. McCarthy-Johnson the meeting was adjourned at approximately 8:55 PM.

Borough of Wilkinsburg
Planning Session Council Meeting Minutes
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Eugenia Moore, Council President