

WILKINSBURG BOROUGH COUNCIL MEETING
Legislative Session
January 19, 2011

CALL TO ORDER

President Moore called the meeting to order at approximately 7:05 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. Council members present were: Mr. Lefebvre, Ms. Ervin, Ms. Trice, Mr. Cohn, Ms. McCarthy-Johnson, Ms. Macklin and President Moore. Also present were Mayor John Thompson, Marla P. Marcinko, Borough Manager, Isobel Storch, Esquire and Patricia McGrail, Borough Solicitor from the Law Offices of Patricia McGrail, L.L.C. Ms. Evans and Mr. Lewis were absent. A quorum was established.

Mr. Lewis arrived at 7:07 PM.

PLEDGE OF ALLEGIANCE

Following the pledge of allegiance, President Moore requested a moment of silence be observed for victims of violent crime in Wilkesburg and surrounding communities as well as the mother of Toni Moses, former Council member, who passed away last week.

SPECIAL PRESENTATION

Wilkesburg Girl Scouts – Improvements to Wood St. Corridor

Kim Olday - Co-leader of Girl Scout Troop 51058 stated that the Troop has an interest in acquiring the lots at Wood St. and Tioga St. to perform a beautification and garden project. The girl scouts spoke to the benefits they see with the garden project. President Moore commented that the statements made by the girls were impressive. Ms. Macklin questioned where the troop meets. Ms. Olday responded that the troop meets every other Wednesday at Hosanna House from 6:30-8:00 PM. The email address is gstroop1058@hotmail.com. The troop is accepting new members. Ms. Ervin inquired if donations are accepted. Ms. Olday responded that they would be accepted but that there was a greater need for volunteer time.

PUBLIC COMMENT

Carl Bailey – representing Teamsters Local 205. Mr. Bailey commented that his purpose in attending the meeting was to comment on the reported reduction of manning levels in the Police Department. He requested that Council reconsider the action and commented on Wilkesburg being a challenging community in which to police.

**Borough of Wilkinsburg
Council Legislative Meeting
January 19, 2011**

John Ward – 121 Swissvale Ave. – Commented on the action to be taken tonight regarding one-way restrictions on Hill Ave. & Mill St. and he requested Council's support.

Mr. Lewis acknowledged the attendance of Jack Wilson, Council member in Edgewood Borough. Mr. Wilson commented on his support of cooperative efforts between the two communities.

ORDINANCES ON FIRST READING

Ordinance No. 2859

Establishing a Handicap Parking Space – 716 Lamar Ave.

Moved: Ms. Ervin

Second: Mr. Lewis

Yes: Ms. Ervin, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. Macklin, Mr. Lefebvre, President Moore

Abstain: Ms. McCarthy-Johnson

Motion carried

ORDINANCES ON SECOND READING

Ordinance No. 2855

Providing for the regulation of disruptive properties; providing for enforcement and penalties.

Moved: Mr. Lewis

Second: Mr. Lefebvre

Ms. Macklin questioned whether the ordinance had been reviewed by the Borough Solicitor. The Solicitor responded that it had been reviewed and appeared to be in order. Mr. Cohn commented that a similar ordinance had been successfully upheld through the State Supreme Court. Ms. McGrail stated that the ordinance can always be challenged. Ms. McGrail commented that the Wilkinsburg version of the ordinance has been streamlined in an effort to avoid a challenge.

Moved: Mr. Lewis

Second: Mr. Lefebvre

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

Motion carried

**Borough of Wilkinsburg
Council Legislative Meeting
January 19, 2011**

Mr. Cohn commented on his hope that the ordinance would provide a vehicle to address many issues and stressed the need for strong enforcement. He expressed the importance of filling the vacant Director positions in Code Enforcement and Public Works.

**Ordinance No. 2856
Establishing Handicap Parking Space – 418 Hampton Ave.**

Moved: Mr. Cohn

Second: Mr. Lewis

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

Motion carried

**Ordinance No. 2857
Establishing Handicap Parking Space – 706 Coal Street**

Moved: Mr. Cohn

Second: Ms. McCarthy-Johnson

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

Motion carried

**Ordinance No. 2858
Establishing one-way restrictions – Hill Ave. and Mill Street**

Moved: Mr. Lewis

Second: Mr. Lefebvre

Ms. Macklin questioned if accident reports were received in order to establish this restriction. The accident reports were necessitated for Marlboro Avenue due to the request for the establishment of a stop intersection in accordance with PA DOT regulations. Ms. Macklin commented on the need to treat all requests equally.

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

No: Ms. Trice, Ms. Macklin, Ms. Ervin

Motion carried 5:3

**Borough of Wilkinsburg
Council Legislative Meeting
January 19, 2011**

RESOLUTIONS

11-001

Approving the Borough Council Meeting Minutes of December 1 and December 15, 2010.

Moved: Mr. Lewis

Second: Ms. McCarthy-Johnson

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

Abstain: Ms. Ervin (December 1 Minutes)

Motion carried

11-002

Approving December Checks Issued in the amounts as follows:

Regular Distributions 12/01/10-12/31/10	\$ 417,978.08
Payroll Disbursements	\$ 396,825.13
Voided Checks	\$ (-0-)
Total	\$ 814,803.21

Moved: Mr. Cohn

Second: Mr. Lefebvre

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

No: Mr. Lewis, Ms. Macklin, Ms. Ervin, Ms. Trice

With the vote ending in a tie, Mayor Thompson voted in favor of the motion.

Motion carried 5:4

11-003

Authorizing Allegheny County Economic Development to provide for the scope and cost development and subsequent application and installation of energy conservation measures at the Borough Municipal Building; authorizing Allegheny County's energy service company (ESCO) access to the facility in order to perform the work necessary in conjunction with the ACEPM-Retrofit phase and designating the Borough Manager as the official to take any actions which are necessary or appropriate to facilitate the ACEPM-Retrofit phase.

Moved: Ms. Macklin

Second: Mr. Cohn

**Borough of Wilkinsburg
Council Legislative Meeting
January 19, 2011**

Ms. Ervin questioned whether the study had been completed. Ms. Marcinko responded that the initial audit is complete and a return visit is scheduled for the purpose of confirming the audit results. The scope has not been developed nor finalized for the project. Ms. Marcinko advised that she provided copies of the report in Council folders last week.

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

Motion carried

CONSENT AGENDA

- 11-004 Re-appointing Robyn Crawley – Library Board**
- 11-005 Re-appointing Frederick Hildebrand – Library Board**
- 11-006 Re-appointing Kelly Ogradnik – Citizens Advisory Committee on Shade Trees**
- 11-007 Re-appointing Bradley Seth – WCIDA**
- 11-008 Re-appointing Rick Hawkinberry – WCIDA**
- 11-009 Re-appointing Bradley Seth – Wilkinsburg Municipal Authority.**
- 11-010 Re-appointing Barbara Ervin – Wilkinsburg Municipal Authority.**
- 11-011 Re-appointing Judy Rodriguez – Parks & Recreation Advisory Board.**

Moved: Ms. Trice

Second: Mr. Lewis

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

Motion carried

OLD BUSINESS

Mr. Lewis commented on the inquiry made by Mr. Cohn at the last meeting regarding Wilkinsburg Penn Joint Water Authority's position on Marcellus Shale drilling and the impact on source water. Mr. Lewis reported that the Authority management team met with Senator Costa and were instructed to put their concerns in writing. Those concerns will be taken to a larger legislative body. One of the main concerns is that water from the processing, if dumped in a water source, may result in that water being untreatable. Ms. McGrail questioned whether the meeting would be a public meeting. Mr. Lewis stated that it was his understanding that the meeting will be open to the public and he will advise as to the time and place.

Ms. Macklin provided Council information on Marcellus Shale obtained from Senator Ferlo's office.

**Borough of Wilkinsburg
Council Legislative Meeting
January 19, 2011**

Ms. Macklin questioned the status of the hiring of crossing guards. Ms. Marcinko commented on inquiries and receipt of applications. President Moore commented on the difficulty in obtaining applicants. Ms. Trice commented on the posting on the school district website regarding recruitment of school crossing guards.

Ms. Macklin questioned the amount an invoice for tree removal from Carl's Tree Service in the amount of \$4,675.00. She further commented on a note that "additional trees will be identified for removal" for \$6,800 and questioned the source of funding and when the expenditure had been approved. Ms. Marcinko responded that Council had taken action at one of the meetings in December to authorize the expenditure of the balance of the 2010 Shade Tree budget for removal of dangerous trees based upon the recently completed Shade Tree Inventory with a priority on trees in Wards One and Two. Ms. Marcinko will provide the listing of the trees which were removed to Council.

NEW BUSINESS

President Moore informed Council that the tax preparation service will not be offered this year due to lack of volunteers. Tax preparation forms will be available in the library soon.

President Moore announced the Pittsburgh Symphony Orchestra program being hosted by the Library in March at the Eastridge Branch of the Library.

Mr. Lefebvre announced the Police Department is now running on www.nixle.com where residents can receive updates, alerts and notifications from the Wilkinsburg Police Department via email or text. To use the system, a free account must be created. There are a number of communities operating on this system.

Mr. Lefebvre received a bulletin from Allegheny County regarding the location of a severe weather emergency shelter. The severe weather emergency shelter will be located at the Smithfield United Church located at 620 Smithfield St. and in operation between the hours of 7:00 PM and 7:00 AM from November 15, 2010 through March 15, 2011. The shelter will operate when temperatures are predicted to be less than twenty five degrees, factoring in the wind chill, freezing rain, heavy snow, severe wind chill, and during a national weather service declared blizzard weather emergency situation. If one sees a person who may be homeless, Operation Safety Net can be contacted at 412-232-5739. Mr. Lefebvre advised that Chief Coleman will check to see if there is a shelter in Wilkinsburg and post the information on the nixle system. Mr. Lefebvre announced the Citizens' Police Academy class will begin on Tuesday February 8, 2011 from 6:00 – 9:00 PM. The class will conclude the end of April.

A motion was made by Mr. Lefebvre, second by Mr. Cohn, to advertise for the positions of Code Enforcement Director and Director of Public Works. Ms. Macklin questioned whether a residency requirement would be included in the job posting. Ms. Marcinko

**Borough of Wilkinsburg
Council Legislative Meeting
January 19, 2011**

responded that residency requirements are usually addressed in the employment agreement for management level positions. Ms. Trice requested that the job descriptions be amended to include a residency requirement. Mr. Cohn commented on the difficulty experienced in the past in recruiting qualified candidates for both positions and feared that adding more barriers would make it even more difficult to recruit and retain qualified personnel. Ms. Trice expressed her displeasure in not requiring residency. Ms. Ervin commented that the prior three managers did not live in the Borough. Ms. Marcinko commented that the last time the Borough recruited for these positions, they were advertised extensively in three local newspapers and in professional publications and only a handful of responses were received. The positions were then combined into an Operations Manager position. During both of these recruitment efforts, not one resident applied for any of the positions. Mr. Lewis commented that he is not opposed to advertising the positions but believes that this consideration should go through the Personnel Committee and a recommendation made to Council. The action currently proposed usurps the Committee.

A motion was made by Ms. Macklin, second by Ms. Trice, to table the motion to advertise for the positions of Code Enforcement Director and Director of Department of Public Works.

President Moore commented that the Personnel Committee should be setting policy and not involved in general employment practices. Mr. Lewis commented that it has only been recently that the scope of the committee has changed. Ms. Macklin commented that it should be the Borough's policy that managers reside in the Borough whenever possible.

Yes: Ms. Ervin, Ms. Trice, Mr. Lewis, Ms. Macklin

No: Mr. Cohn, Ms. McCarthy-Johnson, Mr. Lefebvre, President Moore

With the vote ending in a tie, Mayor Thompson voted in favor of the motion.

Motion carried 5:4

ADJOURNMENT

Being no further business, on motion by Mr. Lewis, second by Ms. McCarthy-Johnson the meeting was adjourned at approximately 8:02 PM.

Eugenia Moore, Council President