

WILKINSBURG BOROUGH COUNCIL MEETING
Legislative Session
July 11, 2012

CALL TO ORDER

President Cohn called the meeting to order at approximately 7:03 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkinsburg, PA.

ROLL CALL

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Goodman, Ms. Macklin, and President Cohn. Also present were Marla P. Marcinko, Borough Manager and Mike Witherel, Borough Solicitor. Absent were Ms. Trice (involved in a motor vehicle accident) and Ms. Moore (work commitment), Ms. McCarthy-Johnson and Mayor John Thompson. A quorum was established.

PLEDGE OF ALLEGIANCE

Following the pledge of allegiance, a moment of silence was observed to remember victims of violent crime specifically Jamel Bey, DaShauna Gibson and Michael Black. A moment of silence was observed in remembrance of Stephen Bradford, brother of Richard Bradford as well as Mr. Hillison and Mr. Bodene, two long-time residents of the community who passed away.

PUBLIC COMMENT

Peter Maurin – 7416 Lighthouse Point – Thanked the Borough for the paving project on Lighthouse Point. He commented on tire tread indentations in the road. He stated that dumping operations have started back up at the cemetery and suggested Council take further action such as a driveway permit, weight limits, etc.

Elizabeth Johnson – 1443 Cresson St. – Expressed her concern regarding a structure adjacent to her home which collapsed several years ago and was not entirely demolished. She commented that falling debris from the structure is impacting her home. Ms. Marcinko advised that the Borough had requested permission from the County to add this property onto the CD 37 demolition list and the request was denied. Other options would be to add it to the CD 39 demolition list or use monies budgeted in the General Fund for demolition. Council requested that quotes be obtained for the demolition of 1441 and 1441 ½ Cresson Street.

James Jones – 579 Princeton Blvd. – Expressed concern regarding the condition of 600 Princeton Blvd. and the overgrowth on the property. He suggested that additional on-street parking could be created if the area were cleared.

Ernest Jones – 563 Princeton Blvd. – Expressed concern regarding a swimming pool full of stagnant water at an abandoned property on Shelbourne.

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Vice President McCarthy-Johnson arrived at 7:18 p.m.

Kate Luxemburg – 832 Rebecca Ave. – Commented on a dangerous tree which is partially down as a result of a lightning strike.

AGENDA ITEMS

1. Adopting Ordinance No. 2894 – Police Pension Plan.

Moved: Ms. Macklin

Second: Ms. Evans

All voted in favor of the motion. Motion carried.

Ms. Marcinko explained that the changes are required in accordance with an interest arbitration award which directed that the Police Pension Plan be in compliance with Act 600.

2. Authorizing the advertisement of Ordinance No. 2895 – Handicap Parking Space 511 Homes Street.

Moved: Ms. Ervin

Second: Ms. Goodman

All voted in favor of the motion. Motion carried.

3. Authorizing the advertisement of Ordinance No. 2896 – Amending Public Art Review Process.

Ms. Macklin stated that she is not in favor of giving other commissions responsibility for government work. She commented on the legislative authority of the Community Art and Civic Design Commission and that all members are not residents of the Borough. She questioned how the amendment came forward. Ms. Marcinko explained that the subject ordinance does not address the Commission's legislative authority. The ordinance defines certain types of infrastructure that would be reviewed or not reviewed by the Commission and establishes different notification requirements for those projects. This amendment also relates to the notification requirements which were onerous and costly to implement. Additionally, the current ordinance does not provide for an appeal process and the amendment will make that provision.

Ms. Macklin questioned how a matter gets in front of Council without prior discussions.

Ms. Evans commented that the CACDC is a relatively new Commission and that the recommendation for the amendments came from the Commission.

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Ms. Macklin commented that the Solicitor charged the Borough \$1,200 for work on this ordinance. Ms. Marcinko stated that she did not believe that could be correct as she had drafted the ordinance to save on costs and forwarded to the Solicitor for a final review.

Ms. Macklin commented that the ordinance reads “the approval of the commission is required before a building permit shall be issued by the Borough”. Ms. Marcinko advised that language exists in the current ordinance and is not proposed to be changed by this amendment. Ms. Evans commented that there is precedence for the Commission to have legislative authority and cited the historic review process. Ms. Ervin inquired as to the number of members on the Commission. Ms. Marcinko advised that there are nine members with two ex officio members. There is currently only one member that is not a resident of the Borough. Mr. Marcinko commented on the composition of the Commission membership.

President Cohn stated that he understood if Council members had concerns regarding the proposed legislation and suggested focusing on the issue at hand which relates specifically to notification requirements for projects and was intended to allow the Borough to move forward more freely with various infrastructure projects. Ms. Macklin expressed concern regarding the review of designs on private property designated for commercial use and inquired as to whether this practice had been tested anywhere. The Solicitor replied that it had and was the exception rather than the rule. Ms. Marcinko clarified that the amendment does not change any provisions in the current ordinance except those which are specified in the amending ordinance. President Cohn commented that there are currently limited issues in front of Council because there are not many substantive changes.

Moved: Ms. Evans

Second: Mr. Lefebvre

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

No: Ms. Macklin, Ms. Ervin

Motion carried 5:2

4. Approving Council Meeting Minutes of 6/6/12 and 6/13/12.

Moved: Mr. Lefebvre

Second: Ms. Evans

Ms. Macklin asked to change “Mr.” to “Ms.” on page 4 of the June 6, 2012 minutes. She questioned whether the fraud policy was to “cover all employees and elected officials” and requested that appointed officials be included.

All voted in favor of the motion. Motion carried

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5. Approving June Checks Issued in the amounts as follows:

Regular Distributions 06/01/12 – 06/30/12	\$ 473,929.63
Payroll Disbursements	\$ 248,313.12
Voided Checks	\$ (-0-)
Total	\$ 722,242.75

Ms. Macklin questioned the last check run in June which contained approximately \$60,000 in voided checks on the check register. Ms. Marcinko stated that it could be related to stale checks which needed to be cleared out per the audit. Ms. Macklin inquired whether there was a cash flow problem as a bond payment was recently due. Ms. Marcinko stated the checks being voided were not the result of a cash flow issue.

Ms. Ervin questioned the “Silver brief”. Mr. Witherel advised that the brief was filed in Commonwealth Court and as a result of a Right to Know request.

Ms. Ervin questioned whether there was money missing in the Library. Ms. Marcinko responded that this issue relates to a personnel matter and advised against discussion. When the investigation is concluded and there is a recommendation, that information will be shared with Council.

Moved: Mr. Lefebvre

Second: Ms. Macklin

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

No: Ms. Macklin, Ms. Ervin

Motion carried 5:2

6. Approving Resolution No. 12-052 – ALCOSAN Wet Weather Plan.

Moved: Ms. Goodman

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried

7. Approving Resolution No. 12-053-CD 39 Concurring Resolution – Street Reconstruction.

Moved: Mr. Lefebvre

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried

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**8. Approving Resolution No. 12-054 – CD 39 Concurring Resolution –
Ardmore Blvd. Retaining Wall.**

Moved: Ms. Macklin

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried

**9. Approving Resolution No. 12-055 – CD 39 Concurring resolution – Penn
Lincoln Demolition.**

Moved: Ms. Evans

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried

**10. Approving Resolution No. 12-056 – CD 39 Concurring Resolution –
Demolition.**

Ms. Macklin commented on the importance of focusing demolition funds to clean up one street at a time. President Cohn responded that the Borough has been using a process to prioritize demolition based upon condition and that sites are not randomly selected. The focus is on those structures deemed to be most dangerous per the recommendation of the Engineer. Ms. Evans commented that she concurs with Ms. Macklin in terms of a strategic plan as funds are very limited. Council needs to advocate for more funding. Ms. Evans commented that she attended a national vacant property conference last week and learned of some innovative approaches to deal with abandoned properties.

Moved: Mr. Lefebvre

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried.

Ms. Evans commented that she would like to hold owners responsible for demolition whenever possible.

11. Approving Resolution No. 12-057 – Declaring slums and blight.

Moved: Ms. Evans

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried

**12. Approving Resolution No. 12-058 – Approving VPRP application for 912
Coal Street.**

Moved: Ms. Macklin

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried

OLD BUSINESS

1. Discussion – Proposed scope of work for Police Department Renovations.

President Cohn described the proposed improvements and commented that the Engineer met with the Chief today. He advised that cost estimates will be obtained and the Chief and Mayor will provide Council with a prioritized list for the work. Ms. Macklin questioned the proposed use for the former Weed & Seed Office and whether the best use of that space is a file room. Ms. Macklin commented that she wanted to ensure there were no issues with mold, etc., before renovations begin, particularly in the evidence room. President Cohn commented that the Chief and Mayor are committed to this project and Council needs to decide what they want to do.

2. Discussion – Metered parking at Municipal Building.

Ms. Marcinko explained the Chief's proposal for the removal of metered spaces on Hay Street and the metered spaces on Ross Avenue in front of the Municipal Building. Those spaces will be for people who are conducting business in the building. The 4 spaces on Hay Street would be established as a special parking zone for official borough vehicle parking. Ms. Macklin commented that the building is for the residents of the Borough and that Council had discussed designating the parking lot off of Wallace Ave near Pitt Street for employee parking. President Cohn commented that the Chief feels strongly about this issue and the four spaces on Hay Street are the only ones that would be changed and are currently used predominantly by employees. Ms. Evans inquired as to whether there would be a time limit for the spaces on Ross. Ms. Macklin asked how many parking spaces are needed for employees. President Cohn commented that there is also a parking lot on South Ave next to Nancy's which is usually fairly open. Ms. Goodman suggested designating employee parking. President Cohn suggested designating spaces in lots or at meters or public spaces for employees to park.

3. Discussion – Request for Quotes for cleaning services.

Ms. Macklin inquired as to the due date for the proposals and whether any quotes were received. It was decided to table the discussion until the next meeting.

NEW BUSINESS

1. Request for street closure – Maplewood St. and Grand Ave.

Vice President McCarthy-Johnson asked whether the Chief had approved the request and Ms. Marcinko advised that she had.

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- 2. Request for street closure – 900 block of East End Avenue.**
- 3. Request for street closure – 500 block of Hill Avenue.**

On motion by Mr. Lefebvre, second by Ms. Macklin, Items 1 through 3 under New Business were approved as a Consent Agenda.

All voted in favor of the motion. Motion carried

- 4. Discussion – Request for use of South Ave. parking lot for E-Waste Recycling Event to be held October 8, 2012.**

Moved: Ms. Macklin

Second: Ms. Evans

All voted in favor of the motion. Motion carried

- 5. Discussion – Installation of Lincoln Highway Markers.**

President Cohn commented on the collaboration between the Borough and WCDC for the purchase and installation of highway markers to commemorate the Lincoln Highway in the Borough. The Borough would maintain the signs. Ms. Evans commented that Mr. Richard has supported this project for some time. PA DOT suggested that the Borough act as the applicant and handle the maintenance issues through a Memorandum of Agreement with the WCDC. The same language will be used as what was used for the lamppost improvements MOA. Ms. Ervin inquired as to what purpose is served by the signs. Ms. Evans advised that they are to commemorate Rt. 8 in Wilkinsburg as part of the Lincoln Highway.

Moved: Ms. Macklin

Second: Mr. Lefebvre

Yes: Ms. Ervin, Ms. Goodman, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, President Cohn.

Abstain: Ms. Evans

Motion carried 6:0 with one abstention

- 6. Discussion – WCDC Application for CDBG Funds to improve Penn Ave. Parklet.**

Ms. Evans explained the project and the intention to pursue \$50,000 in CDBG funding to begin the improvements. Additional matching funds would be sought from foundations. The WCDC has commissioned Moss Architects to create the design. The intention is to create a more highly-utilized, vibrant space. Ms. Ervin commented on the renovation

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work in the parklet a couple years ago. Vice-President McCarthy-Johnson commented that the work performed by PHLF was minimal and intended to help make the space more usable. Ms. Macklin expressed concern regarding access to parking areas off Wallace Ave. Ms. McCarthy-Johnson commented that the "street" section is merely an easement and that she supports the project. Ms. Goodman commented that she believes the project is a good idea.

President Cohn commented on the 125th event on July 1, 2012 at Hunter Park which was well-attended and enjoyed by all. President Cohn asked Ms. Marcinko to follow up with the Engineer regarding unacceptable areas of the slurry seal on Center St, Princeton Blvd., and Woodlawn Street. Ms. Ervin questioned whether the gas line replacement project was complete. Ms. Marcinko advised that it was not. President Cohn commented on the loss of street trees in Swissvale as a result of that project.

Ms. Macklin commented on the need to review the policy on street openings. She commented on a requirement to restore openings from curb to curb. Ms. Marcinko commented that the Borough is doing a much better job holding parties responsible than it was a year ago. Mr. Witherel commented that most communities require restoration just beyond the utility cut only.

Vice-President McCarthy-Johnson announced Summer Nights at Hosanna House on Friday July 13, 2012. Doors open at 6:00 p.m.

ADJOURNMENT

Being no further business, on motion by Vice-President McCarthy-Johnson, second by Mr. Lefebvre, the meeting was adjourned at approximately 8:42 PM.

Jason Cohn, Council President