

BOROUGH OF WILKINSBURG COUNCIL MEETING
Planning Session
May 2, 2012

CALL TO ORDER

President Cohn called the meeting to order at approximately 6:42 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkinsburg, PA. President Cohn welcomed everyone.

President Cohn announced that an executive session was held prior to this meeting to discuss legal and personnel issues.

ROLL CALL

The roll was called to establish a quorum. Present were Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Ms. Moore (via telephone connection), Ms. Goodman, Ms. McCarthy-Johnson, Ms. Macklin and President Cohn. Marla P. Marcinko, Borough Manager was also present. Mayor John Thompson was absent. A quorum was established.

PLEDGE OF ALLEGIANCE

Following the pledge of allegiance, a moment of silence was observed for victims of violent crime.

PUBLIC COMMENT

Linda Law – 908 Wood St. – Ms. Law presented concerns regarding the condition of 8004 Susquehanna Street and read aloud the concerns of the citizens living in that area and the request to demolish the structure. Ms. Moore commented that there is significant overgrowth in that area. Ms. Trice inquired if extermination is possible.

James Simmons – 1633 Laketon Rd. – Spoke in support of the Wilkinsburg Police Department.

Ed Gainey - State Representative Elect 24th Legislative District – Expressed thanks to electors and Council. He stated that he is looking forward to working together. He expressed condolences to Vice-President McCarthy-Johnson and her family.

Dennis Briggs – 1016 Ross Ave. – Stated that he is following up on issues from the last meeting. He commented on the Post Gazette article regarding a proposed resolution and read a part of the article aloud. He commented that Ms. Macklin is responding to the requests of her constituents. Mr. Briggs commented that Council has a responsibility to serve the people. He commented on Ms. McCarthy-Johnson's comments in the article. He spoke of issues of trust, integrity and transparency. He commented on closed committee meetings. He questioned whether full Council had discussed the proposal from the City of Pittsburgh for police protection services. Mr. Briggs commented on his

perception of a conflict of interest with Ms. Evans serving on Council and as the Executive Director of the Wilkinsburg Community Development Corporation.

Mr. Cohn commented that the purported ethics violation had been thrown out of court. Ms. Macklin commented that the case was referred back to the Wilkinsburg Ethics Board that has not been used in years.

Kate Luxemburg – 432 Rebecca Ave. – Commented on the Wilkinsburg Affordable Housing Coalition and the lack of capacity to serve 100% of eligible households. She believes there is a conflict of interest in requests for waiving of fees for the Affordable Housing Coalition projects.

FINANCE

Mr. Lefebvre commented on Council's receipt of a report from the Finance Director on Business Privilege Tax and non-resident Earned Income Tax. He asked Mr. Egler to provide a brief summary to Council.

1. Discussion – BPT collection and non-resident EIT.

Mr. Egler provided a summary of the Business Privilege Tax collection process and efforts to increase collections. Ms. Macklin questioned how sales of multi-unit properties would be tracked and reported. Mr. Egler will be obtaining more comprehensive information from the Code Enforcement Department in going forward. With regard to non-resident earned income tax, Mr. Egler described those persons to whom non-resident EIT could apply. It could only be applied to those persons working in the Borough who are paying under the current EIT rate in the communities in which they live. Mr. Cohn inquired as to how long it would take to implement. Mr. Egler responded that it could become effective January 1, 2013. In order to do so, the decision would have to be made by the end of summer. Ms. Macklin thought Forest Hills had non-resident Earned Income Tax and wondered if the program is successful.

GENERAL MATTERS

1. Approving Resolution No. 12-034 – closing documents for 800 Wood Street.

Moved: Ms. Evans

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried

2. Approving Resolution No. 12-035 – Supporting a Class Action Suit – Act 13.

Moved: Ms. Macklin

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried

3. Approving Resolution No. 12-036 – Approving 3rd addendum to agreement for sale for the Eastridge Branch Library.

Moved: Ms. Trice

Second: Ms. Macklin

Ms. Macklin requested an explanation of the legal relationship between the Borough and the library. Ms. Marcinko explained that this resolution extends the closing date for the sale to May 31, 2012. Ms. Macklin inquired as to how the purchase would be funded. Ms. Moore commented that Joel Minnigh, Library Consultant, is willing to provide an explanation to Council about the process.

All voted in favor of the motion. Motion carried

4. Approving Resolution No. 12-037 – Offering employment agreement – Linda Jennings.

Moved: Ms. Evans

Second: Ms. Macklin

Ms. McCarthy-Johnson asked of what benefit it is to the Borough to extending an offer of employment until the end of the year. Ms. Marcinko responded that it ensures someone in the position that has served for nearly forty years and provides an opportunity to transition and train a new hire. Both Linda Jennings and Joel Minnigh will function as consultants in their former positions until December 31, 2012. Ms. McCarthy-Johnson inquired as to when the positions would be advertised and Ms. Marcinko responded that she will be developing a plan for that with Mr. Minnigh.

All voted in favor of the motion. Motion carried

5. Discussion – authorizing waiving of permit fees – Wilkinsburg Affordable Housing Coalition Project.

Ms. Macklin commented that she recognizes this as a valuable program but has concerns with precedent setting. Mr. Cohn commented that those concerns are valid and sees a difference between certain not-for-profits and this organization. This organization is different from other organizations which are restoring and selling properties in the Borough. These are volunteer organizations helping local residents stay in their homes. Ms. Moore questioned whether fees were waived in the past. Ms. Evans commented that President Cohn makes a good point and that it was Sean Gramz, Director of Code Enforcement, who suggested waiving fees to demonstrate the Borough's commitment to the program and may be a positive step toward seeking additional funding. Ms. Moore asked if fees were waived in 2006 with Rebuilding Together. Ms. Evans responded that she was not sure but didn't think so. Ms. McCarthy-Johnson suggested that the Borough

could also show its support through in-kind services by having DPW assist. President Cohn inquired as to the value of the fees to be waived and Ms. Marcinko advised that it would depend on the project. President Cohn commented that there should be encouragement from Council to facilitate this type of work. Ms. Macklin inquired as to what other communities are doing. Ms. Evans was not sure but did know that other communities contribute to similar programs financially. President Cohn stated his support of waiving permit fees. Ms. Macklin again expressed concern with precedent setting. President Cohn suggested Council approve the proposal contingent upon legal review. Ms. Evans commented that the fact that these groups are working together to help one neighborhood is commendable. President Cohn suggested that further discussion be tabled pending an opinion from the Solicitor on the issue of precedent setting.

Authorize execution of the settlement agreement in the litigation involving the Borough, Chief Ophelia Coleman and Lieutenant Michelle Krempasky in the amount of \$54,000.00.

Moved: Ms. Ervin

Second: Ms. Macklin

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

Motion carried

Ms. Macklin reported that she had Ryan Mack, a famous motivational speaker, make a presentation to middle and senior high school students. There were three engineers with Mr. Mack that spoke to the students as well. She commented that the presentation was great.

Ms. Macklin thanked Linda Law for her efforts with the clean-up on Saturday. She stated she was assigned four young men who were performing community service. She described the experience as inspiring and challenging.

Vice President McCarthy-Johnson thanked everyone for their support with the loss of her husband.

Ms. Trice commented on the need for more space on the Borough's page in the Wilkinsburg Sun.

ADJOURNMENT

Being no further business, on motion by Ms. Ervin, second by Ms. McCarthy-Johnson, the meeting was adjourned at approximately 7:57 PM.

Jason Cohn, President