

**WILKINSBURG BOROUGH**  
**Council Legislative Session**  
**November 13, 2013**

**CALL TO ORDER**

President Cohn called the meeting to order at approximately 7:00 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. Present were Mr. Lefebvre (via remote connection), Ms. Ervin, Ms. Evans, Ms. Trice, Ms. Moore, Ms. Goodman, Ms. Macklin, and President Cohn. Marla P. Marcinko, Borough Manager was also present. Ms. McCarthy-Johnson and Mayor John Thompson were absent. A quorum was established.

**PLEDGE OF ALLEGIANCE**

Following the pledge of allegiance, a moment of silence was observed to remember victims of violent crime, particularly those victims of the shooting at Brashear High School.

**PUBLIC COMMENT**

**Wilbert Wright – 1315 Clark St.** – Mr. Wright has made application to Rebuilding Together Pittsburgh for roof repair and contends that the agency has not been responsive. He inquired about putting the property in his name. Ms. Evans will initiate a contact. He is also having a problem with his savings account at Fifth Third Bank and has reported them to a Federal agency.

Ms. McCarthy-Johnson arrived at 7:04 p.m.

**Mildred L. Sanders – 2101 Village Dr.** – Ms. Sanders has been seeking assistance for clean up around an abandoned house at 2107 Village Drive and contends that weeds from that property are now growing onto her property. President Cohn explained that the Borough is not permitted to go onto private property. He further explained that the Code Enforcement Department can cite the owner but owners are often not responsive in spite of the citations. She wants to open an after-school program and went to the Code Enforcement Department, but had an issue with their response, particularly the \$700 permit fee. President Cohn explained that this may be the fee for a variance application, as the after-school program may require a variance. She questioned Council about ownership of the tennis courts at Turner School where she sees cars driving. President Cohn responded that the tennis courts are owned by the Wilkinsburg School District and she needs to speak with them, or to call the Police Department if cars are observed driving on the courts.

**Eugenia Moore** – Ms. Moore reported that she has received a number of complaints about the lack of responsiveness from the Borough Manager's Office and Code Enforcement Department.

**Tom Montgomery – 1003 Savannah Ave.** – Mr. Montgomery informed Council that the Parkway Ramp Metering Project is ramping up. Monthly meetings are being held to discuss traffic and pedestrian safety on South Braddock Avenue. The Southwestern Pennsylvania Commission is interested in conducting a traffic study on Braddock Avenue from Meade Street to the Rankin Bridge and would like a letter of support from the Borough. Mr. Montgomery asked whether or not Wilkinsburg would be willing to issue such a letter, indicating that no further commitment is required at this time. President Cohn indicated that he would be willing to draft the letter of support.

**AGENDA ITEMS**

- 1. Adopting of Ordinance No. 2918 – Establishing Handicap Parking Space at 1613 Laketon Road.**

**Moved:** Ms. Macklin

**Second:** Ms. Goodman

**All voted in favor of the motion. Motion carried.**

- 2. Authorizing the advertisement of Ordinance No. 2919 – Removing Handicap Parking Spaces.**

**Moved:** Ms. Evans

**Second:** Ms. Trice

**All voted in favor of the motion. Motion carried.**

- 3. Authorizing the advertisement of Ordinance No. 2920 – Establishing Handicap Parking Space at 551 Mifflin Avenue.**

**Moved:** Ms. Goodman

**Second:** Ms. Evans

**All voted in favor of the motion. Motion carried.**

- 4. Authorizing the advertisement of Ordinance No. 2921 – Establishing regulations for the placement of portable storage units and waste dumpsters.**

Ms. Moore asked what type of storage units are included in the motion and what precipitated the action. It was explained by Ms. Marcinko that the original ordinance was revoked in 2004. Presently, the Borough does not have regulations for portable storage units, such as PODS, which have become popular. Ms. Macklin asked if reflective markings are required on storage units and dumpsters. Ms. Marcinko responded that various types of markings, including reflective tape, reflectors, cones and flashers, meet the requirements of the ordinance.

**Moved:** Ms. Evans

**Second:** Ms. McCarthy-Johnson

**All voted in favor of the motion. Motion carried.**

**5. Approving Council Meeting Minutes of October 9 and October 16, 2013.**

Ms. Macklin asked for a correction of the October 9, 2013 minutes in the first paragraph of page two. Ms. Trice asked if the rate listed for Sadeen Miller is the correct rate. Ms. Marcinko explained that the 2013 rate is the same as the 2012 rate because the collective bargaining agreement, which includes the new 2013 rate, has not yet been approved.

**Moved:** Ms. Goodman

**Second:** Ms. Moore

**Yes:** Ms. McCarthy-Johnson, Ms. Goodman, Ms. Moore, Ms. Trice, Ms. Evans, Ms. Macklin, President Cohn

**Abstain:** Ms. Ervin

**Motion carried 7:0 with one abstention**

**6. Approving October Checks Issued:**

Regular Disbursements 10/01 – 10/31/13	\$ 813,143.79
Payroll Disbursements	259,645.42
Voided Checks	<u>-0-</u>
<b>Total Disbursement</b>	<b>\$1,072,789.21</b>

**Moved:** Ms. Moore

**Second:** Ms. Goodman

**Yes:** Ms. Moore, Ms. Goodman, Ms. McCarthy-Johnson, Ms. Evans, President Cohn

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

**Motion carried 5:3**

**7. Approving Resolution No. 13-083 – Preliminary adoption of 2014 Budget and release for public inspection.**

Ms. Macklin asked for confirmation that this action is only to release the proposed budget to the public. She questioned if changes can be made and expressed disagreement with several items relating to personnel. Ms. Marcinko responded that changes can be made up until the final adoption on December 11, 2013. A budget discussion is scheduled for the November 20 Council meeting.

**Moved:** Ms. McCarthy-Johnson

**Second:** Ms. Moore

**Yes:** Ms. Moore, Ms. Goodman, Ms. McCarthy-Johnson, Ms. Macklin, Ms. Ervin, Ms. Evans, President Cohn

No: Ms. Trice

Motion carried 7:1

- 8. Authorizing the advertisement of Ordinance No. 2922 – Establishing Tax Rate for Fiscal Year 2014.**

Moved: Ms. McCarthy-Johnson

Second: Ms. Macklin

All voted in favor of the motion. Motion carried.

- 9. Approving Resolution No. 13-084 – Slums and Blight – Penn Lincoln Hotel demolition.**

Moved: Ms. McCarthy-Johnson

Second: Ms. Goodman

Ms. Macklin asked whether this action relates to the PHMC (Pennsylvania Historical and Museum Commission) review. Ms. Marcinko responded in the negative and explained that this action is required by HUD for use of CDBG funds for demolition.

All voted in favor of the motion. Motion carried.

- 10. Approving Resolution No. 13-085 – Approving addendum to Agreement with Portnoff Law Associates.**

Ms. Macklin asked for a friendly amendment to eliminate the automatic renewal.

Moved: Ms. Macklin

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried.

- 11. Approving Resolution No. 13-086 – Accepting the resignation of Bryan Grasso from the CACDC.**

Moved: Ms. Evans

Second: Ms. Goodman

Ms. Macklin confirmed Mr. Grasso's move to New York City. Ms. Evans thanked Mr. Grasso for his services and commented his service has added value to the Commission.

All voted in favor of the motion. Motion carried.

- 12. Approving Resolution No. 13-087 – Accepting the resignation of Rick Hawkinberry from the WMA and WCIDA.**

Moved: Ms. Ervin

Second: Ms. Trice

President Cohn thanked Mr. Hawkinberry for his many years of service to the Borough.

**All voted in favor of the motion. Motion carried.**

**13. Approving Resolution No. 13-088 – Establishing civil penalties for Code Enforcement violations.**

Ms. Macklin expressed an interest in having comparatives, and asked questions related to the types of violations of the Solid Waste Ordinance that would lead to the imposition of civil penalties.

Ms. Moore reported garbage being hand-carried and dumped at a vacant garage in the 1100 block of Bessica Street, and would like Code Enforcement to follow up.

**Moved:** Ms. Goodman

**Second:** Ms. McCarthy-Johnson

**All voted in favor of the motion. Motion carried.**

**14. Authorizing the advertisement of Ordinance No. 2923 – Establishing Handicap Parking Space at 1526 Foliage Street.**

**Moved:** Ms. Trice

**Second:** Ms. Moore

**All voted in favor of the motion. Motion carried.**

**OLD BUSINESS**

None at this time.

**NEW BUSINESS**

**1. Authorizing the filing of a Petition to exonerate Borough Real Estate Taxes – 710 Swissvale Avenue.**

Ms. Evans provided a brief background of the property, stating that the property had been given to a nonprofit agency and then returned to Wilkesburg Municipal Authority as the nonprofit agency failed to meet the requirements of the property transfer. The WMA put the property on the market and incurred costs, but discovered that liens on the property exceeded offers received. A request was made to taxing bodies to exonerate taxes in order to return the property to tax productive status. Ms. Macklin asked if the Redevelopment Authority can use the same process. Ms. Evans responded that the applicant for exoneration should be the purchaser, and the Wilkesburg Municipal Authority is not going to be the owner.

**Moved:** Ms. Goodman

**Second:** Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried.

**2. Authorizing the advertisement for bids – Verdi Way Storm and Sanitary Sewer Repair.**

Ms. Ervin asked about the location. The response was that Verdi Way is a street intersecting Whitney Avenue near the Whitney Park Recreation area that dead ends at the Borough and City of Pittsburgh boundary lines.

Moved: Ms. Goodman

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried.

**3. Approving Resolution No. 13-089 - Authorizing the execution of the Collective Bargaining Agreement – SEIU Local 668.**

Ms. Macklin commented that she has not seen the final document. Ms. Marcinko informed Ms. Macklin and Council that no changes have been made since the last proposal was presented to Council. Ms. Macklin believes that employees should be taught requisite skills when bidding into positions. Ms. Marcinko commented that she understood Council's position to be firm on requiring that candidates possess the requisite knowledge, skills and abilities when bidding on a position, and that negotiations leading to the newest collective bargaining agreement were based on that position.

Moved: Ms. Goodman

Second: Ms. Evans

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

All voted in favor of the motion. Motion carried.

**ADJOURNMENT**

Being no further business, on motion by Ms. Trice, second by Ms. McCarthy-Johnson the meeting was adjourned at approximately 8:15 p.m.

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Jason Cohn, President