

WILKINSBURG BOROUGH
Planning Session
March 13, 2013

CALL TO ORDER

President Cohn called the meeting to order at approximately 7:02 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, Ms. Trice, Ms. McCarthy-Johnson, Ms. Macklin and President Cohn. Ms. Ervin, Ms. Evans, Ms. Moore and Mayor John Thompson were absent. Marla P. Marcinko, Borough Manager and Michael Witherel, Borough Solicitor were also present. A quorum was established.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Wilbert Wright – 1315 Clark St. – Stated that he was happy that Mr. Cohn was in attendance for the meeting as he intended to have him arrested for stealing money out of the community.

AGENDA ITEMS

1. **Adopting Ordinance No. 2902 – Establishing a Handicap Parking Space 333 Barnes St.**

Moved: Ms. Trice

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried.

2. **Approving Council Meeting Minutes of 2/6, 2/13 and 2/20/13.**

Moved: Mr. Lefebvre

Second: Ms. Trice

Ms. Macklin asked for the following corrections to the minutes: February 6, 2013 page three, second paragraph from the bottom; second sentence reads Mr. Gilliland stated “Council agreed not to re-pave that section due to concerns over speeding”. She requested that “because the school is there” be added.

On page five, second paragraph, reads “Ms. Macklin commented about tripping hazards near the tree pits”. Ms. Macklin stated that she commented on the “tripping hazard and damage to the brick sidewalks”. On the third paragraph, second sentence should include “Princeton Park Pillars” and the fact that the mortar was the wrong color and the contractor had to return to make the required repairs. February 13 minutes on page four, states “Ms. Evans provided an update to Council regarding the liquor license referendum”. She requested that the minutes be amended to reflect that Ms. Evans was speaking as a representative of the WCDC and not as a councilperson. February 20, 2013 page two, last paragraph second sentence reflect the loss of revenue from tenant registration in the amount of \$17,000. Page four last section referring to “Section 8 Voucher recipients who are delinquent in payment of taxes”. Ms. Macklin requested that “property” taxes be specified. She clarified that the voucher recipient referenced is the landlord, not the tenant”.

Moved: Mr. Lefebvre

Second: Ms. Trice

All voted in favor of the motion. Motion carried.

Ms. Moore arrived at 7:11 pm.

3. Approving February Checks issued in the amounts as follows:

Regular Disbursements 02/01 – 02/28/13	\$ 892,598.59
Payroll Disbursements	322,400.36
Voided Checks	<u>3,316.06</u>
Total Disbursement	\$1,211,682.89

Moved: Mr. Lefebvre

Second: Ms. McCarthy-Johnson

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

No: Ms. Trice, Ms. Macklin

Motion carried 4:2

4. Approving Resolution No. 13-026 – Hiring Sharon Lane as School Crossing Guard.

Moved: Mr. Lefebvre

Second: Ms. Macklin

All voted in favor of the motion. Motion carried.

5. Approving Resolution No. 13-027 – Application to DCNR – Ferguson Park/Playground Improvements.

Moved: Ms. Trice

Second: Ms. Macklin

President Cohn commented that he missed the discussion due to his absence for a work commitment and asked if it was Council's direction to move forward with the KABOOM Grant and the DCNR application. Council confirmed that to be the direction.

Moved: Ms. Trice

Second: Ms. Macklin

All voted in favor of the motion. Motion carried.

6. Approving Letter of Commitment – DOE SunShot Initiative: Rooftop Solar Challenge II.

Moved: Mr. Lefebvre

Second: Ms. Moore

Ms. Macklin questioned the type of commitment requested. Ms. Marcinko advised that in-kind staff hours are to be committed. An email exchange is included in Council's packet that explains what the Borough will receive through the program. Ms. Marcinko read the email aloud and advised that the Borough participated in Phase I with this initiative being Phase II.

Moved: Mr. Lefebvre

Second: Ms. Moore

All voted in favor of the motion. Motion carried.

7. Approving Resolution No. 13-028 – Applying for CITF Funding – Joint Pump Station.

Moved: Mr. Lefebvre

Second: Ms. Macklin

All voted in favor of the motion. Motion carried.

8. Approving Resolution No. 13-029 – Approving VPRP Application – 609 Coal Street.

Moved: Ms. Macklin

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried.

9. Approving Resolution No. 13-030 – Approving VPRP Application – 611 Coal Street.

Moved: Ms. Macklin

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried.

Ms. Macklin commented that the properties are two abandoned houses at the corner of Rebecca Avenue and Coal Street. Adjacent properties are in the process of being acquired by the County.

PHLF is renovating those structures and the subject parcels will used for parking and green space.

10. Approving Resolution No. 13-031- Hiring Bob Metz – Adult Assistant Services, Librarian.

Moved: Mr. Lefebvre

Second: Ms. Moore

All voted in favor of the motion. Motion carried.

OLD BUSINESS

None at this time.

NEW BUSINESS

Mr. Lefebvre commented on the discussion Council had about a year ago regarding ownership of Green Street Park. It was determined in July, 2011 that the Wilkinsburg School District, not the Borough, owns the park. The school district is now marketing the property for sale and residents in the area have opposed any sale of the property and are in litigation with the school district. Residents would like the park to remain green space.

Mr. Lefebvre read the following motion:

A motion urging the Board of Directors of the Wilkinsburg School District to convey the Green Street Park to an entity that will preserve the Green Street Park as a recreational facility and green space for the benefit of and use by the residents and taxpayers of the Borough of Wilkinsburg.

WHEREAS, the Wilkinsburg School District acquired the Green Street Park in 1905 and has owned it for over one-hundred seven years; and

WHEREAS, Wilkinsburg School District believes, and the records maintained by the Allegheny County Office of Property Assessments indicate, that the Wilkinsburg School District received the Green Street -Park as a gift and gave no consideration in exchange for that conveyance; and

WHEREAS, the Green Street Park is located in a densely populated urban residential neighborhood in the western portion of the Borough of Wilkinsburg; and

WHEREAS, the Green Street Park contains many amenities, such as a basketball court, a playground, seating areas, two perennial gardens, and a seal sculpture, all of which the residents and taxpayers of the Borough of Wilkinsburg regularly use and enjoy; and

WHEREAS, the Green Street Park is a necessary community asset and provides vital green space that, among other things, helps to maintain water quality within the challenged Nine Mile Run Watershed; and

WHEREAS, loss of the Green Street Park to a multi-family residential development would not be in the best interests of the residents and taxpayers of the Borough of Wilkinsburg because the result would be increased population density, traffic congestion, and pollution, along with decreased property values and quality of life for the residents and taxpayers living in the vicinity of Green Street Park; and

WHEREAS, the preservation of the Green Street Park as a recreational facility and green space would be in the best interests of the residents and taxpayers of the Borough of Wilkinsburg.

Moved: Mr. Lefebvre

Second: Ms. Trice

Ms. Trice questioned the conditions of a reversion clause. Ms. McCarthy-Johnson commented that the Parks and Recreation Advisory Board fully supports the school district selling the property to the developer. This is due to the fact that there is access to two nearby parks, Frick Park and Whitney Park which have more recreation space. She commented on the importance of increasing the tax base with additional housing rather than keeping a park which is barely maintained and lacks recreation equipment. Ms. Moore requested to see a copy of the motion. Mr. Lefebvre stated that the residents in the area are not proximate to other large parks without having to cross busy roadways. He commented that the basketball courts are used regularly by children in the neighborhood. Ms. Trice commented that development in the area would impact parking. Ms. Marcinko clarified the reversion clause issue in response to Ms. Trice's question. When the Borough discovered the park was not Borough-owned, the Borough approached the school district and asked to have the property turned over in consideration of one dollar. The school district stated that it would require a reversion clause in the deed which would return the property to the school district's ownership if it were ever not used as a park for human purposes. Ms. Trice inquired as to whether the used playground equipment acquired from Penn Hills could be used at the park. Ms. Moore asked Mr. Lefebvre to clarify what is meant by the reference to "quality of life and decrease in property values" in the last paragraph of the motion. Mr. Lefebvre advised that studies support that the value of homes adjacent to parks and green space are higher. Ms. Macklin, as a member of the Planning Commission, commented that the Planning Commission Chair had indicated that the residents in the area were supportive of development of the property. She commented that the Borough does not have sufficient funds to maintain all its parks and playgrounds. She suggested a public meeting be held to obtain feedback. Ms. Macklin suggested that the value of the property, plus or minus \$71,000, needs to be considered. Mr. Lefebvre commented that the park is used daily and that residents are meeting on Friday to try to raise funding to acquire the property. The residents have been maintaining the park. President Cohn thought the proposal for in-fill housing was a good idea. There are arguments on both sides and, as elected officials representing constituents, all sides should be considered. Ms. Macklin questioned the provision in the motion regarding

maintenance by the Borough. President Cohn believes the Borough can maintain the property better than the school district with a demonstrated neighborhood commitment. Ms. Moore was not clear what message was sent to the Planning Commission regarding the residents' desires. Mr. Lefebvre has surveyed all residents on all the streets bordering the park and adjacent to the park. Ms. McCarthy-Johnson expressed that currently there are more facilities than can be maintained. Ms. Macklin asked Ms. McCarthy-Johnson about the state of the parks and usage. She asked if that report included Green Street Park. Ms. McCarthy-Johnson commented that there is money budgeted for maintenance and the Parks & Recreation Advisory Board wants to reduce the number of park facilities owned by the Borough due to inability to properly maintain. Ms. Macklin provided the Linear Park as an example of a commitment made by residents to perform maintenance which has not been fulfilled. Mr. Lefebvre stated his understanding of all viewpoints and his responsibility to represent the interests of the residents. Mr. Lefebvre commented that residents planted two gardens at the park using native species and painted all the walls. Ms. Trice expressed concerns with liability. Ms. McCarthy-Johnson does not think conveyance of the property for continued green space is a good idea. The issue before Council at this time is the motion on the floor. The decision with regard to the disposition of the property rests with the judge. Ms. Macklin asked if Council should postpone this vote until a decision is made by the judge. Mr. Lefebvre would like to move forward with voting on the motion.

Yes: Ms. Moore, Ms. Trice, Mr. Lefebvre, President Cohn

No: Ms. McCarthy-Johnson, Ms. Macklin

Motion carried 4:2

Ms. Moore provided the Wilkesburg Public Library Report:

"Normal Aging and Memory Loss" will be discussed in Council Chambers on Monday April 16, 2013 at 11:00 a.m. Interested persons can register at the Adult Library Circulation Desk or by calling 412 244-2940.

A furniture donation from Western Pennsylvania School for the Deaf was received by the Adult and Children's Library.

There are two programs in the Children's Library between 3-5 p.m. Registration is not required.

A job and career section has been added in the Eastridge Branch of the Library. Please call 412 342-0056 for more information.

Ms. Moore asked about dumping on Cresson Street. Mr. Lefebvre met with Mrs. Johnson and relayed the information to Ms. Marcinko, Mr. Gramz, Code Director and Mr. Clark, DPW Director. Chief Coleman was also informed. Mr. Lefebvre took pictures. Ms. Marcinko informed Council that there is no responsible property owner and therefore no one to hold accountable. She commented that the Borough is not permitted to go onto private property. President Cohn stated that the residents should report suspicious activity and license plate numbers when observed.

Ms. Moore informed Council of an issue at Bessica Terrace and trash collection by two different companies. There are seven units.

Ms. Macklin questioned formalizing website updates and adding staff to the Finance Department. President Cohn has spoken to the Finance Department Director and Ms. Marcinko about Freedom System issues and the website. President Cohn suggested a full-time employee to handle on-site for IT issues and serve as the support person to all employees for the Freedom System.

Ms. Macklin asked about a timeline for the RFP for delinquent tax collection. Mr. Marcinko provided the information to Council. Ms. Macklin expressed concern regarding outstanding legal fees and costs owed to Portnoff should the agreement be terminated. Mr. Witherel informed Council that there is no provision currently in the contract addressing this issue. A transition plan is needed in order to change collectors.

ADJOURNMENT

Being no further business, on motion by Mr. Lefebvre, second by Ms. Trice the meeting was adjourned at approximately 8:10 P.M.

Jason Cohn, Council President