

WILKINSBURG BOROUGH
Work Session
March 20, 2013

CALL TO ORDER

President Cohn called the meeting to order at approximately 6:52 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. Evans, Ms. Trice, Ms. Goodman, and President Cohn. Ms. Ervin, Ms. Moore, Ms. McCarthy-Johnson, Ms. Macklin, and Mayor John Thompson were absent. Marla Marcinko, Borough Manager, was also in attendance. 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

Tom Montgomery – 1003 Savannah Ave. – Informed Council RSCA (Regent Square Citizens' Association) is planning a safety meeting for Braddock Avenue roadway conditions on April 11, 2013 at the UCP Building at 7:00 p.m. The issues are related to pedestrian safety.

Debra Poindexter – 1019 Findley Dr. – Spoke to Council regarding the proposed amendments to the livestock and poultry ordinance. She spoke about concerns associated with abandoned properties and existing vermin infestations.

William Leverette – 707 Pitt St. – Addressed Council regarding parking tickets he has received on his vehicle which remained parked on the street while he was out of town. He suggested a process to notify the police department of these types of absences to avoid the repeated receipt of parking tickets and possibility of towing. He stated that his vehicle was towed and he was not able to retrieve it for two days as the towing company was closed and therefore incurred storage fees. Chief Coleman stated that notice can be provided to the police department of extended on-street parking during absences. She further explained that the Borough does not contract with the towing company. Chief Coleman offered to make the complaint known to the towing company. Mr. Lefebvre asked Chief Coleman to explain what initiates a tow. Chief Coleman explained that after receipt of five tickets the information is recorded on a Scofflaw List and reported to the towing company.

GENERAL MATTERS

- 1. Approving Resolution No. 13-032 – Preliminary and final approval for Land Development - 400 Sherwood Road.**

Moved: Ms. Evans

Second: Mr. Lefebvre

Ms. Marcinko clarified that there is no subdivision and that the approval only covers land development which is covered under the Subdivision and Land Development ordinance. Mr. Lefebvre informed Council that the plan has been approved by the Planning Commission. Sean Gramz, Code Enforcement Director explained to Council that a conditional approval was issued by the Planning Commission contingent upon receipt of required variances from the requirements of the Zoning Ordinance to be issued by the Zoning Hearing Board. Ms. Marcinko clarified that the resolution so reflects this conditional approval.

All voted in favor of the motion. Motion carried.

President Cohn turned the meeting over to Mr. Lefebvre. Mr. Lefebvre stated that the only matter pending is the review of the monthly financial reports. The information has been provided in Council's agenda packets. Mr. Lefebvre turned the meeting over to Mr. Egler.

FINANCE

1. Monthly Financial reports.

David Egler, Finance Director reported to Council revenues for the first two months of 2013 as follows:

- No receipt of real estate tax revenues with bills not being issued until April 1, 2013 due to a delay at the County level.
- Act 511 Real Estate Transfer Tax showing a marked improvement over prior year.
- EIT is up considerably compared to last year. Last year's YTD figure was \$30,000 and this YTD is approximately 79,000.
- RAD revenue is down from last year and he believes this is attributable to an adjustment from a one-time receipt last year.
- Revenue is coming in under tenant registration and is picking up. Mr. Egler notes increased revenues from the Code Enforcement Department since Mr. Gramz has been in the department.
- Road opening permit fees are down from the high activity in 2012 as a result of work being performed by the gas company.
- Sale of fixed assets is markedly lower from prior year due to the sale of the fire truck last year which was a one-time occurrence.

Mr. Lefebvre asked if the PILOT letters were mailed out with the answer being yes. Tenant registration letters were mailed in January and follow up letters have been mailed to those from whom a response was not received.

Mr. Egler reported that some expenses are up from prior year. Specifically, the salaries categories due to five pays being issued for the first two months of the year. Retroactive pay in the police department is included as well as the lease payments for new vehicles. A Fire Services payment is due. Last year there was no payment in the first quarter, and a partial

payment in the second quarter. This year, 4 equal payments will be made. Refuse service payments are due which will cover three payments due by the end of March, 2013. In comparison to last year, the number looks a bit high due to timing but will be on target for budget by the end of the year. The debt service payments are not showing yet and will be adjusted. The fund will be at budget by the end of the year.

GENERAL MATTERS

2. Discussion – Proposed amendments to ordinance relating to livestock and poultry.

Willie Saunders inquired about the purchase of a surplus police vehicle. Ms. Marcinko explained that the solicitor reviewed whether the vehicle could be sold directly to the PA Office of State Constables. It was explained that this entity is not an approved entity for transfer of property as it is not a government entity. Ms. Marcinko explained that the law requires a certified appraiser evaluate the value of a vehicle.

President Cohn is interested in legalizing, in a limited way, ownership of hens not roosters. He doesn't see a widespread interest but has received a couple of inquiries. He has been in contact with residents of the City of Pittsburgh who were involved in developing their legislation. The legislation is very cumbersome. If this legislation was used as a model, the Code Enforcement Department would need specific certifications, etc. President Cohn drafted a proposal which would be the least impactful with no real inspection process required. Basically, complaints would drive action/enforcement. The ordinance prohibits guinea hens and roosters and restricts chicken ownership to no more than three hens. Ms. Trice inquired if President Cohn is aware if anyone currently raising chickens in the Borough. President Cohn stated that he heard of someone but was not sure of the address. Ms. Evans commented that chickens are being sold at Animal Nature. Mr. Lefebvre asked if any citations are known of under the ordinance. Ms. Evans commented on the lack of language relative to confinement of the poultry. President Cohn stated that this was not specifically addressed as the more restrictive, the more enforcement that would be required. President Cohn commented that chickens should be fenced in or caged. Ms. Trice asked about feral cats and protecting them from rabid animals. Mr. Lefebvre asked about any surrounding communities with chicken legislation. President Cohn was not aware of the legislation in smaller communities and again stated that he did not believe there would be much interest in chicken raising. Mr. Lefebvre asked about the chicken seizure process. President Cohn will investigate options.

3. Discussion – Disposition of 710 Swissvale Ave.

President Cohn informed Council that the subject property is the former EMS and Gym of Future Champs building. Ownership has reverted to the Wilkesburg Municipal Authority. Ms. Evans informed Council that the deed has been transferred to the WMA and quotes for insurance on the building are being sought. There is a possibility to market the property on the WCDC website for sale. Taxes are owed because the Gym of Future Champs did not have tax exempt status. Tax compromise may need to be pursued. The property was appraised in 2009 at \$54,000. The WMA Board is willing to abide by Council's wishes. The WMA is a volunteer agency and there

is little time for an additional project. The property needs to be cleaned up. President Cohn suggested that the property should be sold by the WMA. Both the Borough and WMA should be made whole for their time and costs. Ms. Evans has tax bills from the County for the current year. Solicitor Witherel is working on tax exemption status according to Ms. Marcinko. Mr. Lefebvre suggested that Council needs to do what it can to regularly maintain gas, water etc. Ms. Evans expressed that it would be good to utilize any proceeds for something other than general purposes. President Cohn agreed. Funding for demolition and paving were mentioned as possibilities. Ms. Marcinko stated that there is a benefit to the WMA retaining ownership as it may conduct a directed sale. Ms. Evans commented that there are a lot of open issues and further discussion is required. The consensus is the sale of the property is desirable.

Ms. Trice asked about the status of the electrician position. Interviews have to be scheduled by Mr. Clark and Mr. Focareta. Ms. Marcinko will check and let Ms. Trice know.

ADJOURNMENT

Being no further business, on motion by Ms. Trice, second by Mr. Lefebvre the meeting was adjourned at approximately 7:55 P.M.

Jason Cohn, Council President