

**WILKINSBURG BOROUGH COUNCIL MEETING**  
**Legislative Session**  
**February 17, 2010**

**CALL TO ORDER**

President Moore called the meeting to order at approximately 7:10 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkesburg, PA.

President Moore announced that an executive session was held at 6:00 PM for the purpose of discussing litigation and personnel issues.

**ROLL CALL**

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Cohn, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin and President Moore. Also present were Marla P. Marcinko, Borough Manager and Isobel Storch from the Law Offices of Patricia McGrail. Mayor John Thompson was absent. A quorum was established.

**PLEDGE OF ALLEGIANCE**

President Moore requested a moment of silence be observed in remembrance of Representative John Murtha, and all who have lost their lives as a result of the recent winter weather event as well as victims of violent crime.

**SPECIAL PRESENTATION**

Andrea Geraghty, representing Pittsburgh Care Partnership Community Life, discussed the desire of the agency to develop a property at 301 Meade St. into a life center. The property is located in the 3<sup>rd</sup> ward, is zoned industrial and has been unoccupied for at least six years.

Community Life is a non-profit healthcare organization that provides all-inclusive care for the elderly. Richard Di Tomassi commented on the reasons that the agency is seeking another facility and spoke briefly about the services currently being provided to sixty individuals within this area. Construction costs for the proposed facility are estimated at \$3,000,000.

**PUBLIC COMMENT**

**Jerome Garrett- 1422 Laketon Rd.** – Expressed his disappointment with the response from DPW in plowing snow from the street onto his sidewalk after he had shoveled.

**Barb Merranko – 537 Shelbourne Ave.** – Commented on the confrontation she experienced with Chief Coleman over the condition of the street. (Blenheim St. and Shelbourne Ave). She requested a review and report of the incident as well as an apology.

**Charles Liscinski** – Commented that the problems experiences at Blenheim and Shelbourne related to a pile of snow on the roadway and an illegally parked vehicle.

**Frank Gagliano- 2366 Collins Rd.** – Commented that there is a large group of residents desiring to secede from Wilkinsburg due to high taxes. Ms. Evans responded by citing the efforts of Council on the tax exemption and tax compromise legislation.

**CONSENT AGENDA**

On motion by Ms. Macklin, second by Ms. McCarthy-Johnson, the following matters were placed on a Consent Agenda.

**Ordinance No. 2834 Establishing Handicap Parking Space- 2153 McNary Blvd.**

**Ordinance No. 2835 Establishing a Handicap Parking Space 1625 Maplewood Ave.**

**Ordinance No. 2836 Establishing a Handicap Parking Space 434 Biddle Ave.**

**Ordinance No. 2837 Establishing a Handicap Parking Space 564 Princeton Blvd.**

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

**Motion carried**

**RESOLUTIONS**

**10-012**

**Approving Council Meeting Minutes of 01/04/10 and 01/20/10.**

**Moved:** Mr. Lewis

**Second:** Ms. Ervin

Ms. Macklin requested to amend the minutes of January 20, 2010 relating to comments on Ordinance 2830. Mr. Lewis and Ms. Ervin agreed to the amendment.

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

**Motion carried**

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**10-013**

**Approving January Checks Issued in the amounts as follows:**

<b>Regular Distributions</b>	<b>01/01/10 – 01/31/10</b>	<b>\$ 528,406.51</b>
<b>Payroll Distributions</b>		<b>\$ 368,778.73</b>
<b>Voided Checks</b>		<b>\$ <u>(1,002.56)</u></b>
<b>Total</b>		<b>\$ 896,182.68</b>

**Moved:** Mr. Cohn

**Second:** Ms. Evans

Ms. Macklin questioned whether the total included the February 1, 2010 check run. Ms. Marcinko responded that it did not.

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

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

**Motion carried 5:4**

**10-014**

**Authorizing the exoneration of the Tax Collector for the year 2009 for a base amount of \$1,027,646.65 and a penalty amount of \$102,772.46 and furthermore stipulating that all year 2009 delinquent tax accounts be forwarded to Portnoff Law Associates.**

**Moved:** Mr. Cohn

**Second:** Ms. Evans

**Yes:** Mr. Cohn, Mr. Lewis, Ms. Macklin, Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, President Moore

**No:** Ms. McCarthy-Johnson

**Motion carried: 8:1**

**10-015**

**Approving the list of properties for demolition with funding received through the CD 36 program as recommended by the Borough Engineer.**

**Moved:** Ms. Ervin

**Second:** Ms. McCarthy-Johnson

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

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Motion carried**

**10-016**

**Approving application to the National Flood Insurance Program.**

**Moved:** Mr. Cohn

**Second:** Ms. McCarthy-Johnson

Mr. Cohn questioned if residents will be able to apply for flood insurance or if the Borough will have to be accepted into the program. Ms. Marcinko responded that the Borough must proceed through the designation process.

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

**Motion carried**

**10-017**

**Adopting the Emergency Operations Plan.**

**Moved:** Ms. Ervin

**Second:** Mr. Cohn

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

**Motion carried**

### **CONSENT AGENDA**

On motion by Mr. Cohn, second by Mr. Lewis, the following matters were placed on a Consent Agenda.

**10-018 Approving Vacant Property Program Application – 845 Holland Ave.**

**10-019 Approving Vacant Property Program Application – 833 Holland Ave.**

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

**Motion carried**

### **RESOLUTIONS**

**10-020 Approving Vacant Property Program Application – 835 Rebecca Ave.**

**Moved:** Mr. Cohn

**Second:** Ms. McCarthy-Johnson

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Ms. Macklin commented that the Planning Commission had been of the understanding that there was a large tax delinquency on this property. The owners are interested in

retaining the property. She requested that Council table action until the owners interest/ability to rehabilitate the property be explored.

A motion was made by Ms. Macklin, second by Ms. Trice, to table the motion to approve the Vacant Property Recovery Program application for 835 Rebecca Ave.

Mr. Cohn commented that the owners should be willing to enter into an agreement with the Borough to commence and complete repairs by a date certain and within a specified time frame if they are interested in retaining the property. The property is not occupied.

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

Mr. Cohn questioned if the matter had been discussed with PHLF. Ms. Macklin responded that there has been communication via email with PHLF.

**CONSENT AGENDA**

On motion by Mr. Macklin, second by Mr. Lefebvre, the following matters were placed on a Consent Agenda.

Ms. Evans questioned whether the Wilkinsburg Redevelopment Authority is active and the need to make a reappointment to an inactive entity. Ms. Macklin responded that the Wilkinsburg Redevelopment Authority has not been active. Ms. Evans suggested removing Resolution 10-027 from the Consent Agenda.

- 10-021 Reappointing Steve Donahue – Library Board.**
- 10-022 Reappointing Jean Dexheimer – Library Board.**
- 10-022 Reappointing Jean Dexheimer – Library Board.**
- 10-023 Reappointing A.B. Carl – Library Board.**
- 10-024 Reappointing Michael Lefebvre - Planning Commission.**
- 10-025 Reappointing Patrick Shattuck – Planning Commission.**
- 10-026 Reappointing Brenda West-Evans to the Planning Commission.**
- 10-027 Reappointing Kate Luxemburg – Wilkinsburg Redevelopment Authority.**
- 10-028 Reappointing Rick Hawkinberry –Zoning Hearing Board.**

**Yes:** Ms. Ervin, Ms. Evans (10-021 through 10-026), Ms. Trice, Mr. Cohn (10-021 through 10-026), Mr. Lewis (10-021, 10-022, 10-024 through 10-027), Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, President Moore

**No:** Ms. Evans (10-027), Mr. Cohn (10-027) Mr. Lewis (10-023 and 10-028)

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**OLD BUSINESS**

Ms. Macklin commented on the handling of the recent snow emergency and while the Borough performed much better than many communities, there is a need to improve communications to the residents and customer service. Ms. Macklin commended the efforts of the fire department and Fire Chief McAfee. She further commented on the need to have key personnel residing in the Borough and questioned the rental of four wheel drive vehicles. She questioned the decision to purchase rear wheel drive vehicles for use by the police department. Ms. Macklin strongly recommended customer service training and the need to respect residents.

President Moore announced that the Wilkinsburg Public Library is celebrating Black History Month and will be hosting a "Walk in the Woods" event. Encouraging all to read "Social Impact With Neighbors and Friends". Copies will be available at the Library in March. She further reported that library fines have been increased.

Ms. McCarthy-Johnson reported that the consultants hired by Verizon are soliciting in the Borough for Verizon FIOS without proper permits. The permits are for solicitation in the City of Pittsburgh and commented that the workers are very aggressive. Anyone experiencing problems with the sales persons should report the incident to police.

Mr. Lefebvre commented on the exceptional work of DPW with the recent storm events. He suggested meeting and discussing areas of concern and planning for future events. Mr. Cohn concurred with Mr. Lefebvre. Ms. McCarthy-Johnson suggested involving students for clearing sidewalks and street crossing. Ms. Evans commented on commercial properties clearing parking lots and not sidewalks and being in violation of the ordinance. Ms. Storch commented that there is no prohibition with citing commercial property owners and not citing residential property owners.

Ms. Macklin asked when Committee appointments would be made. President Moore responded that this would be addressed at the next meeting.

**NEW BUSINESS**

A motion was made by Mr. Cohn, second by Mr. Lefebvre, to appoint Barbara Nicholas to the Civil Service Commission. Ms. Nicholas recently submitted an application indicating her interest in serving. Ms. Ervin questioned whether a former Council member, whose term recently ended, can serve. Ms. Macklin expressed concern with Ms. Nicholas' ability to remain objective given her recent standing on Council and the Personnel Committee and believes that Ms. Nicholas' appointment would be a conflict of interest.

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A motion was made by Mr. Lewis, second by Ms. Trice, to table the motion to appoint Barbara Nicholas to the Civil Service Commission.

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

**No:** Mr. Cohn

**Motion carried 8:1**

A motion was made by Mr. Cohn, second by Ms. Evans, to award the 2010 Paving Project to Victor Paving in the amount of \$111,042.00 to include Rebecca Ave. from Ella St. to Craft St., the intersection of Graham Blvd. and Laketon Rd. and Douglas Drive from Sampson St. to Robinson Blvd.

Ms. Ervin questioned whether there are sufficient funds in the budget to cover the entire contract amount. Ms. Marcinko responded that the monies can be found in other line items.

Discussion followed regarding the performance of Victor Paving on prior projects in the Borough.

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

**No:** Ms. Ervin, Ms. Trice, Mr. Lewis, Ms. Macklin, President Moore

**Motion failed 4:5**

Ms. Storch commented on Council's question in defining what constitutes a responsible bidder. Ms. Storch will research that question and provide an answer to Council.

**ADJOURNMENT**

Being no further business, on motion by Mr. Cohn, second by Ms. Trice, the meeting was adjourned at approximately 9:07 PM.

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Eugenia Moore, Council President