

WILKINS TOWNSHIP BOARD OF COMMISSIONERS

ADDITIONAL STATED MEETING, MONDAY, MAY 22, 2006

The Additional Stated Meeting of Monday, May 22, 2006 was brought to order at 7:00 PM by President Frank J. Greco. A quorum was present as follows:

Mr. Greco		Mrs. Martinelli
Mr. Padula	Ms. Fialla	Mr. Wilson

(6-114) MOVED MARTINELLI-FIALLA to approve the minutes of the regular meeting of May 8, 2006 as presented. The motion was adopted by unanimous roll call vote.

Communications :

1. Mark Wolfgang, Chairman of the Wilkins Township Planning Commission: Responding to a request from the Board to address zoning on Greensburg Pike and recommending that the Board of Commissioners take no action regarding the rezoning of Greensburg Pike or other areas of the Township until the Comprehensive Plan has been finalized.
2. Roy and Margaret Butterbaugh, 6 Curry Court: Praising the Board of Commissioners for their effort in passage of Ordinance #976 (Occupancy Inspection).

Citizens' Comments:

1. Jeff Bergamasco, 720 Negley Avenue: Questioned how individuals due to the size of the new property owners would know if they were in compliance to the regulations included in the 2003 Property Maintenance Code.
  2. Jim Graf, 708 Thompson Street: Questioned where the money from fines from Ordinance #976 will go and how Property Maintenance Officers are paid. Also questioned whether the Township has a vicious dog ordinance.
  3. Frank Fasciano of 661 Mortimer Avenue: Requested that each of the Commissioners express any significant reservations that they have regarding Ordinance #976.
- Mrs. Martinelli stated that as a member of the Board, and speaking for all of the Board Members, she can say that all of the Commissioners have done their homework on this Ordinance. The Board is most interested in abating nuisance properties that have not been kept up in order to keep Wilkins Township beautiful.
  - Mr. Greco stated that the Board has met on several occasions to discuss this ordinance. He believes that the Board has answered all of the questions posed by the residents. He further believes that it is the role and duty of the Board of Commissioners to provide extra protection to the residents and the passage of this ordinance is one way in which that can be accomplished. Decisions are difficult, but the Board has tried to cover all of the issues and questions raised by the public.
  - Ms. Fialla stated that she does not have a problem with a Property Maintenance Ordinance, but she does have a problem with this particular ordinance for two reasons. First, at the last meeting (May 8<sup>th</sup>), Mr. LeDonne questioned whether he would be required to have a home inspection when he transferred his home to his son, who is also a resident of the home. Mr. LeDonne would be required to have a home inspection. Ms. Fialla believes that exchanges of real estate between family members should be exempt from the requirements of the ordinance.

Second, although she has no problem with establishing this particular ordinance for rental properties, she is not comfortable establishing such an ordinance for owner occupied homes. She does not feel good about potentially getting into the middle of the realtor/buyer/seller relationship. She thinks that the ordinance should be amended to only inspect those owner occupied properties that are either selling for a cash exchange or well below market value.

- Mr. Wilson stated that he has no reservations regarding the passage of this ordinance. He has been with Wilkins Township since 1964. He was also born and raised in Wilkins Township. The Board has spent more time on this Ordinance than any other Ordinance previously adopted. He is comfortable with the language of the ordinance and its passage this evening.
  - Mr. Padula stated that he is fairly confident with the Ordinance. He believes that the Township certainly is in a position where it must pass the ordinance. He also commented on a comment made by a resident that if this ordinance was adopted, there might be political repercussions at the polls come next election – he is willing to take his chances. Also, if after the ordinance is passed, the Township were to discover that there is a major flaw in the ordinance, at that time, the ordinance could be amended to eliminate any issues with it.
  - Mr. Greco reiterated that the fee for a single family residential occupancy inspection is \$50.00, not \$250.00 as had been misstated.
4. John Lazzaro of 733 Negley Avenue questioned when someone is selling a house in Wilkins, how are they supposed to know about this ordinance and its' requirements. Also questioned how the Township will successfully police the number of rental units within the Township.
  5. Jeff Bergamasco of 720 Negley Avenue questioned what would happen if an occupancy permit is granted and then there is a fire, whose liable?

ORDINANCE NO. 976

AN ORDINANCE OF THE TOWNSHIP OF WILKINS, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA AMENDING THE CODIFIED BOOK OF ORDINANCES, PART II, CHAPTER 124, PROPERTY MAINTENANCE TO PROVIDE FOR THE ADOPTION OF THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE AND ADDING REGULATIONS GOVERNING REQUIREMENTS FOR THE PROCUREMENT OF OCCUPANCY PERMITS PRIOR TO THE TRANSFER OR RE-OCCUPANCY OF ONE AND TWO FAMILY DWELLING UNITS, MULTI-FAMILY DWELLINGS AND COMMERCIAL ESTABLISHMENTS, CREATING INSPECTION REQUIREMENTS FOR THESE ESTABLISHMENTS, AND SETTING FEES FOR OCCUPANCY PERMITS.

(6-115) MOVED WILSON-PADULA to read Ordinance #976 by title only for the first time.

(6-116) MOVED PADULA-MARTINELLI to accept the first reading of Ordinance #976.

(6-117) MOVED WILSON-MARTINELLI to read Ordinance #976 by title only for the second time.

(6-118) MOVED WILSON-PADULA to adopt Ordinance #976.

Motions 6-115 through 6-117 were adopted by unanimous roll call vote.

Motion 6-118 was adopted by a 4-1 vote with Ms. Fialla voting NO.

RESOLUTION NO. 11-06

A RESOLUTION OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING AND CONSOLIDATING RESOLUTION NUMBERS 9-1991, 21-1991, 13-1993, 25-1993, 7-1995, 3-1996, 2-1999, 6-1999, 3-2001, 12-2001, 3-2002, 12-2002, 18-2003, 21-2003, 11-2004 AND 12-2004 TO INCLUDE FEE SCHEDULES FOR VARIOUS PERMITS AND SERVICES PROVIDED BY THE TOWNSHIP OF WILKINS, DELETING FEES FOR PERMITS AND SERVICES NO LONGER APPLICABLE, AMENDING ZONING CERTIFICATE FEES AND ADDING FEES FOR OCCUPANCY INSPECTION PERMITS.

- (6-120) MOVED MARTINELLI-WILSON to adopt Resolution No. 11-2006. The motion was adopted by unanimous roll call vote.
- (6-121) MOVED PADULA-FIALLA to accept the recommendation of Mr. Vargo, awarding the 2006 Paving Bid to Sciaretti in the amount of \$334,564.00. Work to be completed includes the base bid of Rita, Gilmore and Dunbar plus Alternate #1 – Wilbur. The motion was adopted by unanimous roll call vote.
- (6-122) MOVED WILSON-MARTINELLI to accept the recommendation of Mr. Vargo, awarding the Manhole Relining bid to Coastal Gunite, Inc., the low bid, in the amount of \$106,427.00. The motion was adopted by unanimous roll call vote.
- (6-123) MOVED MARTINELLI-WILSON approving the following list of projects for submission for CDBG Year 33: Street paving: Washington Street from Brown Avenue to Hazel, Washington Street Extension, from Montgomery to Hazel, Montgomery from Washington Street Extension to the dead-end; Demolition of Slat house on Cline Street; Demolition of Sunset Bowling Lanes; Rescue #1 Rehabilitation and matching funds for DCNR grant for Comprehensive Parks Plan. The motion was adopted by unanimous roll call vote.
- (6-124) MOVED PADULA-FIALLA to accept the recommendation of Mr. Vargo appointing Kevin Rykaceski of Elizabeth Street as summer help at a starting pay of \$7.00 per hour. The motion was adopted by unanimous roll call vote.
- (6-125) MOVED MARTINELLI-WILSON authorizing any members of the Board of Commissioners and the Manager to join the Wilkins-Churchill Rotary at a cost of \$85.00 per year per membership. The motion was adopted by unanimous roll call vote.
- (6-126) MOVED MARTINELLI-FIALLA to accept the recommendation of Mr. Hill to send Nick Slobodnyak to a two-day training class on the 2003 International Property Maintenance Code at a cost of \$225.00. The motion was adopted by unanimous roll call vote.
- (6-127) MOVED FIALLA-WILSON to authorize the request of Mr. Hill for himself and the Deputy Fire Marshals to attend a one-day training class on “Understanding Assembly Means of Egress” at a cost of \$160.00 per person. The motion was adopted by unanimous roll call vote.
- (6-128) MOVED WILSON-FIALLA to accept the recommendation of the Police Pension Plan Advisory Committee to amend the investment policy of the Wilkins Township Police Pension Plan to change the allocation of assets from 70% fixed, 25% equity and 5% cash to 70% equity, 25% fixed and 5% cash in line with the recommendation of the pension plan adviser, Mr. Don Pettler of PNC. The motion was adopted by unanimous roll call vote.

(6-129) MOVED WILSON-FIALLA to table Resolution No. 12-2006. The motion was adopted by unanimous roll call vote.

(6-130) MOVED WILSON-PADULA to authorize the manager to arrange a meeting with the municipal employees and Colleen Carr, Financial representative with Waddell and Reed to discuss the implementation of a 457 Deferred Compensation Plan for employees of the Township. The motion was adopted by unanimous roll call vote.

(6-131) MOVED WILSON-MARTINELLI to accept the recommendation of Chief Guthrie to purchase three (3) mobile radios from B&D Electronic and Communications at a unit cost of \$595.00 each for a total cost of \$1,785.00 to be drawn from the Emergency Management Fund. The motion was adopted by unanimous roll call vote.

Commissioners Comments:

Mr. Matta advised the audience that the Board of Commissioners met in Executive Session immediately before the regular meeting for the purpose of discussing one item of personnel and one item of litigation.

Mr. Padula questioned Chief Guthrie as to whether or not the radios in the police department are still under warranty and questioned whether the Township will pickup the warranty of the new fire department radios. Thanked the public for their concerns on Ordinance #976. Everyone who has attended the meetings has brought up valid points. Thanked Mrs. Bradley, Mr. Hill, Mr. Slobodnyak, Mr. Vargo and Chief Guthrie for working on the Ordinance as diligently as they did.

Ms. Fialla thanked all for coming to the meeting and stated that the next meeting of the Board of Commissioners will be held on Monday, June 12, 2006.

Mrs. Martinelli thanked everyone for coming to the meeting. Stated that sometimes the Commissioners have to make hard decisions and she appreciates all of the input from the residents.

(6-132) MOVED MARTINELLI-WILSON to donate \$100.00 to the Senior Citizens Club for their help in getting the Municipal Directories ready for mailing. The motion was adopted by unanimous roll call vote.

Mrs. Martinelli also thanked the Century Club for planting the flowers in the Pep Boys lot and thanked Nancy Chapman for working on the flowers in front of the municipal building. Finally, reminded the residents that on Monday, May 29, 2006 at 10:30 AM there will be a Memorial Day Service at Mates-Linhart Cemetery and invited all to join them for the service.

Mr. Wilson thanked all of the residents for their input on Ordinance #976, it was very enlightening and educational. Also requested that the Public Works Department take over the maintenance and upkeep of the War Memorial across from Yost Café. The memorial is located on public property, but has been maintained by a private resident for a number of years. This individual is no longer able to maintain the memorial. Also wished everyone a safe and happy Memorial Day.

Mr. Greco thanked everyone who helped the Board adopt Ordinance #976 and wished all a happy and safe Memorial Day.

(6-133) MOVED FIALLA-PADULA to adjourn. The meeting was adjourned at 8:00 PM. The motion was adopted by unanimous roll call vote.

Respectfully submitted,

Rebecca Bradley  
Secretary

