

WILKINS TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING OF MONDAY, APRIL 10, 2006

The Regular Meeting of Monday, April 10, 2006 was brought to order at 7:00 PM by President Frank J. Greco. A quorum was present as follows:

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

Mr. Michael Lepore of the BPO Elks, Lodge #577 presented Mr. William Wilson with the 2005-2006 Citizens of the Year Award for all of his hard work in arranging the Veteran's Day Celebration.

(6-89) MOVED PADULA-FIALLA to approve the minutes of the meeting of March 27, 2006 as presented. The motion was adopted by unanimous roll call vote.

Communications:

1. Dr. Joan Eiger Gottlieb, Secretary for the Churchill Area Environmental Council requesting consideration of a donation in the amount of \$45.00 to be used in conjunction with other municipal donations to offer a \$150.00 graduation award to Christine Levine of 3532 Ridgewood Drive, Wilkins for her significant contributions to environmental conservation and improvement.

(6-90) MOVED MARTINELLI-WILSON to grant the request of the Churchill Area Environmental Council to donate \$45.00 to be used in conjunction with other municipal donations to support a graduation award to Christine Levine for her contributions to environmental conservation and improvement. The motion was adopted by unanimous roll call vote.

2. Winifred M. Klingerman of Turtle Creek Valley Memorial Day Association inviting Wilkins Township to participate in the annual Memorial Day parade to be held on May 29, 2006 beginning at 9:00 AM, and further requesting a donation to help defray the expenses of the parade.

(6-91) MOVED WILSON-PADULA to grant the request of the Turtle Creek Valley Memorial Day Association for a donation in the amount of \$100.00. The motion was adopted by unanimous roll call vote.

Citizens' Comments:

1. Mr. Robert McGrath of 269 Penhurst Drive questioned whether the recent ruling by the PA Department of Labor and Industry regarding the requirement of prevailing wage scales for contractors performing road resurfacing projects would have any impact upon the Township and suggesting that the Township send a letter to the governor and the Department of Labor and Industry urging them to not uphold this recent action. Also stated that he felt that the negative publicity currently in the newspapers about Wilkins was damaging and requested that the Board work out the differences. Also stated that the ACLU should "butt out".
2. Mrs. Susie Grant-Guthrie of 100 Larchwood Drive stated that she disagrees with Mr. McGrath's statements and takes her First Amendment Right to freedom of speech very seriously. Stated that she is a resident of Wilkins and also owns a business in the Township and is concerned about the proposed new Township ordinance requiring occupancy inspections. She questioned whether this ordinance had been legally challenged and how the Township would enforce for 100% compliance. She also questioned how the Township planned to deal with low-income residents. She suggested that prior to enactment, the Board should take a look at all of the angles. Finally, she stated that she remains in support of any initiatives that create appreciation in community property values.

3. Mr. N. Leonard Hill, 408 Kingston Drive stated that he has been involved in inspection of properties in Wilkins Township since 1970. He stated that the proposed ordinance does two things: First, it updates the existing Township code from the 1998 Property Maintenance Code to the 2003 Property Maintenance Code. Second, it requires inspections on properties that are either sold or re-occupied. This is nothing new in Wilkins Township. Back in 1966, the Township of Wilkins passed an ordinance requiring interior inspections of homes prior to re-habitation. This is not a new idea. Penn Hills, a community of 19.25 square miles, has been enforcing a similar ordinance for years. Swissvale has had an occupancy inspection ordinance on the books since 1989. Turtle Creek has an ordinance that requires the inspection of rental property prior to re-occupancy. Wilmerding also requires the re-inspection of all rental property, Plum Borough – a municipality with over 30,000 residents encompassing twenty nine (29) square miles has an occupancy permit ordinance for all properties that are either sold or re-occupied and finally, Rochester Borough, in Beaver County has an occupancy permit requirement for all rental units.
4. David Kemp of 340 Frazier Drive stated that he is concerned for the general safety and well-being of Mr. Hill. Mr. Hill is currently performing house-by-house property maintenance inspections. He drives a vehicle that very closely resembles a police vehicle. Mr. Kemp stated that he is aware that some of the houses that Mr. Hill is knocking on in performance of his duties contain individuals who have reason to fear police officers. He is concerned that because Mr. Hill's car looks like a police car that he may be perceived as an under cover officer and may be hurt. He suggested that the board consider making changes to Mr. Hill's car to make it look less like a police vehicle for his protection.
5. Mr. Steve Lazzaro of 717 Thompson Street stated that he appreciates Mr. Hill's comments, but he has about a half dozen questions that he would like to have answered with regard to the proposed ordinance. He suggested that the board consider some type of public forum where residents could voice their concerns only on this issue.

Mrs. Martinelli suggested that Mr. Lazzaro provide a list of questions to the Township manager who will not only respond to these questions in writing, but will also provide verbal responses at the next meeting of the Board of Commissioners.

6. Mr. Frank Fasciano of 661 Mortimer Avenue stated that he understands that the Township's proposed ordinance is a meshing of ordinances from other municipalities. He questioned how the residents can be sure that the township has not only included the most restrictive parts of other municipalities' ordinances in the formation of the Township' new ordinance. He also stated that he did not read the ordinance that the Township had enacted prior to this proposed ordinance and he wanted a summary of the powers that the Township was assuming under this new ordinance that it does not already have.
7. Mr. Jim Beatty, owner of rental property in Wilkins Township and resident of the Commonwealth of Pennsylvania stated that as a landlord, he is required to pay commercial ratings on his insurance. This means that the insurance company performs an inspection of his properties on a five year basis. He is concerned that the rent on his units will be too high for tenants to afford due to the additional requirements enforced by the Township through the adoption of this ordinance. He makes sure that his properties are safe. He provides information to tenants regarding asbestos and lead based paint and how to clean their properties. He is a responsible landlord and is a responsible citizen of the commonwealth. He takes offense at the fact that since he lives outside of the fifteen mile required radius, he is required to appoint a manager for his properties. The cost of this manager must also be passed on to his tenants.

Mrs. Martinelli stated that we need to look at this particular section of the ordinance again. We need to be able to reward “good” landlords like Mr. Beatty by not requiring them to appoint managers. Mr. Wilson stated that Mr. Beatty was brought up to take care of his property, unfortunately, he is one of the very few landlords that respond in this fashion. The Township is trying to stop landlords who are not of the same type as Mr. Beatty. However, he agrees with Mr. Beatty that the term “manager” is not appropriate.

8. Mr. Joe O’Conner of 150 Churchill Lane stated that he received a letter for not having a railing next to his steps. He is extremely upset by the receipt of this letter given the condition of other properties situated on the same street as he is.
9. Mrs. Barbara Mitchell of Churchill Lane also received a letter for missing railing. Ms. Mitchell lives between two abandoned houses that are falling apart and she is upset about receiving a letter about a set of steps that only the property owners have access to.
10. Mr. George Mitchell of Washington Street stated that he does not believe that it is right for the Township to charge the owners of rental property an occupancy permit fee. He was a victim of the 2004 floods and had to put \$14,000.00 into his home and rental units as a result of that flood. He questioned what the point of making this investment was if the Township was not going to resolve the issue that exists with Mr. Taylor’s culvert on Brown Avenue.

REPORTS:

Chief Guthrie’s Police Report for March 2006:

|                                  | <u>2005</u> | <u>2006</u> |
|----------------------------------|-------------|-------------|
| Total Police Calls Logged        | 278         | 254         |
| Total Criminal Offenses Reported | 39          | 31          |
| Criminal Arrests/Persons Charged | 21          | 28          |
| Criminal Offenses Cleared        | 24          | 21          |
| Traffic Citations Issued         | 45          | 20          |
| Parking Tags Issued              | 12          | 6           |
| Parking Citations Issued         | 3           | 0           |
| Monies Collected                 | \$ 4,203.02 | \$2,620.62  |

Mr. Vargo’s DPW Report for the month of March 2006 is filed in the Manager’s Office

WTVFD #1 reported the following: 14 Fires, 5 Practices and 2 Training Sessions for a total of 157 Man-hours.

WTVFD #3 reported the following: 13 Fires man hours 39.53, 3 Training Sessions man-hours 99 and 25 Non-incident activities man-hours 746.33. Total man-hours 884.86.

WTVFD #4 reported the following: 17 Fire calls, man-hours 76.25, 4 Drills, man-hours 106.25 and 4 Public Service Details, man-hours 37.

Building Permits Issued During March 2006: Two (2) additions & alterations: one pool and one sun room Total cost \$17,287.00 One (1) Demolition, cost \$17,000.00, One (1) Cut & Fill, One (1) Exterior Repair cost \$3,000.00, One (1) Interior Alteration – Soffer – Building #4, 9<sup>th</sup> Floor, cost \$39,000.00

Real Estate Transfer Tax – March 2006 \$3,486.35.

Tax Collector's Report for March 2006:

|                                    |  |  |  |                 |
|------------------------------------|--|--|--|-----------------|
| Balance Collectable                |  |  |  | \$ 1,253,033.77 |
| Deductions (exonerations)          |  |  |  | -152.11         |
| Adjusted Collectable               |  |  |  | 1,252,881.66    |
| Less Face Collections for Month    |  |  |  | 201,898.01      |
| Balance Collectable – end of month |  |  |  | 1,050,983.65    |
| Face Amount of Collections         |  |  |  | 201,898.01      |
| Less Discounts                     |  |  |  | 4,038.18        |
| Total Cash Collected               |  |  |  | \$197,859.83    |

PA Municipal Services – Act 511 for March 2006:

Earned Income Taxes:

|               |             |               |             |            |
|---------------|-------------|---------------|-------------|------------|
| Current Month | \$28,608.66 | Previous Year | \$22,282.03 | Difference |
| Current YTD   | 119,663.55  | Previous YTD  | 119,769.00  | (\$105.45) |

Emergency & Municipal Services Tax:

|               |           |               |          |             |
|---------------|-----------|---------------|----------|-------------|
| Current Month | 796.00    | Previous Year | 7,464.00 | Difference  |
| Current YTD   | 34,209.60 | Previous YTD  | 7,854.00 | \$26,355.60 |

Mercantile Tax:

|               |          |               |     |            |
|---------------|----------|---------------|-----|------------|
| Current Month | -0-      | Previous Year | -0- | Difference |
| Current YTD   | 2,818.83 | Previous YTD  | -0- | \$2,818.83 |

Business Privilege Tax:

|               |          |               |     |            |
|---------------|----------|---------------|-----|------------|
| Current Month | 647.56   | Previous Year | -0- | Difference |
| Current YTD   | 3,146.44 | Previous YTD  | -0- | \$3,146.44 |

Mr. Matta announced that the Board of Commissioners had met in executive session prior to the regular meeting for the purpose of discussing issues of personnel and potential litigation.

Mrs. Martinelli reported on the great turn-out for the Easter Party and thanked the Recreation Advisory Committee for their continued support.

(6-92) MOVED FIALLA-PADULA to pay the bills for March as presented in the amount of \$243,071.20. The motion was adopted by unanimous roll call vote.

(6-93) MOVED WILSON-PADULA to table Ordinance No. 976. The motion was adopted by unanimous roll call vote.

RESOLUTION NO. 08-06

A RESOLUTION OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, APPOINTING A POLICE PENSION PLAN ADVISORY COMMITTEE TO ADMINISTER THE AFFAIRS OF THE PLAN AND NAMING THE FIRST THREE MEMBERS TO THE COMMITTEE.

(6-94) MOVED WILSON-MARTINELLI to read Resolution No. 8-2006 for the first time.

(6-95) MOVED WILSON-MARTINELLI to adopt Resolution No. 8-2006.

Motions 6-94 and 6-95 were adopted by unanimous roll call vote.

(6-96) MOVED MARTINELLI-FIALLA to accept the recommendation of the Recreation Advisory Board appointing Mr. Joe Costa to the position of Recreation Advisory Board member. The motion was adopted by unanimous roll call vote.

Mrs. Bradley made the following statement in regard to the memorandum issued to the employees regarding the Township chain of command: In conjunction with my discussions with the Township Solicitor and Chairman Mr. Greco, I will be amending the memorandum of February 27, 2006 in regard to the Organizational Chart and Chain of Command Policy of the Township. The memorandum will be amended to alleviate any confusion that there may have been in regard to a Township employee's right to address the Board of Commissioners at a public meeting on matters of general public concern. I will be working with the Township Solicitor to draft language which will clarify the rights of Township employees as well as the rights, duties and obligations of the Board of Township Commissioners in regard to personal, personnel and issues of general public matters. The new memorandum will be in effect as of April 11, 2006.

(6-97) MOVED WILSON-FIALLA to approve the recommendation of Chief Guthrie to execute an Authorized Provider Agreement with the American Red Cross. The motion was adopted by unanimous roll call vote.

(6-98) MOVED MARTINELLI-FIALLA to accept the resignation of Mr. George Vrontos from the position of Property Maintenance Officer effective April 30, 2006. The motion was adopted by unanimous roll call vote.

(6-99) MOVED WILSON-MARTINELLI to accept the recommendation of Chief Guthrie to purchase one (1) 2006 Ford Crown Victoria Police Interceptor, 3.55 Axle through the SHACOG Purchasing Alliance 2005 bid tabulation from Day Ford at a base price of \$20,068.00 plus optional equipment totaling \$566.00 for a total purchase price of \$20,634.00. The motion was adopted by unanimous roll call vote.

(6-100) MOVED MARTINELLI-PADULA to rescind Resolution No. 4-2006, Off Duty Weapons Policy. The motion was adopted by unanimous roll call vote.

#### Commissioners' Comment

1. Mr. Padula: Thanks to everyone for coming out and giving input. We are here representing you. Requested that Mrs. Bradley contact Waste Management and see whether they are going to pick up the recycling in the Acres. Also stated in response to Mr. Mitchell's complaint regarding Mr. Taylor's culvert on Brown Avenue that the Township is doing everything that they can do at the present time. Also stated that this weekend he and his fellow commissioners went to the Allegheny League of Municipalities Conference at Seven Springs and he spoke with a representative of Lamar who is interested in placing bus shelters in Wilkins Township. He requested that Mrs. Bradley contact her and discuss the potential to place bus shelters in Wilkins.

2. Ms. Fialla: Questioned whether the Board would be interested in holding a special meeting for the purpose of receiving additional comments and questions from residents such as Mr. Fasciano and Mr. Lazzaro regarding the proposed ordinance. Thanked the residents for their input, thanked George Vrontos for his dedicated service to the Township and questioned a copy of a letter from the Solicitor regarding a matter of litigation.

3. Mr. Wilson: Stated that he wishes Mr. Vrontos well and hopes he enjoys his retirement and thanked him for his service to the Township. Thanked Mr. Beatty for his comments to the Board and thanked Mr. Kemp for his comments and providing the Board with a good idea. Wished everyone happy holidays.

4. Mrs. Martinelli: Thanked everyone for coming and reiterated that when the citizens have a concern, they need to call and let us know what's going on. Thanked Mr. Vrontos for his service, thanked the Recreation Advisory Board for doing a great job with the Easter Party and reminded the residents that effective May 15<sup>th</sup>, they will be able to recycle their newspapers at the Municipal Building, VFC #3 and VFC #4.

5. Mr. Greco: Stated that he was pleased with the attendance of the residents this evening. He believes that the proposed ordinance is critical to the Township in order to continue to hold Wilkins standards as high as we can. The Board is always willing to entertain any questions from residents. Thanked Mr. Vrontos for his service to the Township.

(6-101)MOVED MARTINELLI-WILSON to adjourn, the meeting was adjourned at 8:45 PM. The motion was adopted by unanimous roll call vote.

Respectfully submitted,

Rebecca Bradley  
Secretary