

WILKINS TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING, MONDAY, APRIL 30, 2007

The Regular Meeting of Monday, April 30, 2007 was brought to order at 7:00 PM by Vice-President Mrs. Sylvia Martinelli. A quorum was present as follows:

Mrs. Martinelli
Ms. Fialla

Mr. Padula
Mr. Wilson

President Frank J. Greco was absent due to illness.

(7-98) MOVED PADULA-FIALLA to approve the minutes of the Public Hearing of April 9, 2007 and the Regular Meeting of April 9, 2007. The motion was adopted by unanimous roll call vote of all present.

Communications:

1. Mr. Elias Sejko, Chairman of the Civil Service Board: Advising the Board that due to on-going health related issues, he had to resign from the Civil Service Board.

(7-99) MOVED PADULA-FIALLA to accept the resignation of Mr. Elias Sejko from the Wilkins Township Civil Service Board. The motion was adopted by unanimous roll call vote of all present.

2. Angie Gialloreto, Chairperson, Wilkins Township Democratic Committee: Requesting permission to use the Municipal Building on Sunday, May 6, 2007 from 2:00 PM until 4:00 PM for an open meeting featuring Chief Executive Dan Onorato and other Allegheny County Candidates.

(7-100) MOVED WILSON-PADULA to authorize the Wilkins Township Democratic Committee to use the Municipal Building on Sunday, May 6, 2007 from 2PM until 4 PM. The motion was adopted by unanimous roll call vote.

3. Winifred M. Klingerman, the Turtle Creek Valley Memorial Day Association: Inviting the Township to participate in the annual Memorial Day Parade and requesting a donation for the event.

(7-101) MOVED WILSON-PADULA to authorize the donation of \$100.00 to the Turtle Creek Valley Memorial Day Association. The motion was adopted by a three to one vote with Ms. Fialla voting NO.

Citizens' Comments:

1. Mr. Gary Matta, Solicitor, announced that the Board of Commissioners met in Executive Session prior to this meeting and prior to the emergency meeting held last Monday, (April 23rd) to discuss matters of potential litigation.
2. Mr. Chris Patterson of 135 Tynewood Drive stated that he had done some research on the issue of Business Privilege Tax. He specifically reviewed information available on the Buchanan Ingersoll website and the website of McNees Wallace. The case of J&K trash removal seems to lay out the general principles of this type of taxation. He also questioned whether the Township had a direct “sit down” with the representatives of ProCare. Mr. Matta stated that his office had been in contact with representatives of Pricewaterhouse Cooper, who are representing ProCare in this issue. Mr. Patterson also recommended that the Township place the real estate transfer tax from the Penn Center sale into escrow.

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Action

Dr. Michael Szoko of 4 Grayhurst Drive stated that he had an opportunity to speak with Mr. Chuck Potter, an expert in the mercantile/business privilege tax field. He stated that the Township needs to sit down with ProCare and make a deal. Mr. Szoko also suggested that the Board of Commissioners forfeit any type of entitlement that they are receiving from the Township for the next year in order to aid in saving of funds and also stated that he would prefer to see the creation of a Public Safety building instead of a Community Center. Also stated that he believes that the Manager is not a good “fit” with Wilkins Township and said that the Manager and Assistant Manager should resign within the next forty (40) hours.

Mr. John Gibbons of 127 Gardenia Drive questioned if there are significant judgments awarded in the two federal lawsuits currently pending against the Township, who would pay for those judgments? He also questioned Mr. Matta as to what steps citizens can take to surcharge members of the Board of Commissioners. He further commented upon his dissatisfaction with the current manager and assistant manager and requested that the Board terminate them.

Ms. Patty Stewart, 118 Gardenia Drive requested that the Board of Commissioners consider postponing any vote on Community Days until the meeting of May 21st.

Mr. William Stewart of 118 Gardenia Drive shared with the Board the current financial situation faced by the Recreation Advisory Board and also requested that the Board of Commissioners allow the Recreation Board a few more weeks to raise funds for the event. The Recreation Board had originally requested \$31,000. in funding for this event.

So far, the Board has been able to reduce those costs to \$15,594. , with projected revenues at \$10,052. The Board is still looking for an additional \$5,542. in donations.

(7-102)MOVED WILSON-PADULA to grant the request of the Recreation Advisory Committee to table any action on Community Days until the meeting of May 21, 2007. The motion was adopted by unanimous roll call vote of all present.

Questions on the Motion:

Commissioner Fialla questioned whether the tabling of this item until the 21st of May would provide the Recreation Board with enough time to cancel contracts, if necessary and questioned the cost of improvements to the existing Showcase lot. Mr. Vargo stated that he estimated the cost of improvements to be about \$250.00. Ms. Fialla also questioned whether Chief Guthrie had an estimate of overtime costs associated with the event. Chief Guthrie stated that the Department was able to work Community Days last year without any overtime.

Commissioner Wilson stated that this is the biggest fundraiser of the year for several of the Township's nonprofit groups, such as the Volunteer Fire Departments, the Baseball Association and the Century Club and that he believed that if the Recreation Board was able to secure the donations, that the Board should support their efforts.

Commissioner Martinelli stated that she and her husband had decided to donate \$2,000.00 to Community Days because it is such an important event to the community and the groups within the Community.

(7-103) MOTION WILSON-PADULA to authorize the appropriate officials to execute a contract between the Department of Community Affairs and Wilkins Township, accepting a Community Revitalization Grant in the amount of \$20,000. for the purpose of renovations to the former WHEMS building. The motion was adopted by unanimous roll call vote of all present

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ORDINANCE NO. 980

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE WILKINS TOWNSHIP CODIFIED BOOK OF ORDINANCES, PART II, CHAPTER 168, VEHICLES AND TRAFFIC, SECTION 17, STOP INTERSECTIONS.

(7-104)MOVED PADULA-WILSON to read Ordinance No. 980 by title only for the first time.

(7-105) MOVED PADULA-WILSON to accept the first reading of Ordinance No. 980.

(7-106) MOVED WILSON-PADULA to read Ordinance No. 980 by title only for the second time.

(7-107) MOVED WILSON-PADULA to adopt Ordinance No. 980.

Motions 7-104 to 7-107 inclusive were adopted by unanimous roll call vote of all present.

(7-108) MOVED FIALLA-WILSON to accept the recommendation of the Planning Commission regarding site plan approval for Heritage Investment Properties of 3484 William Penn Highway, contingent upon the review and approval of the solicitor.

(7-109) MOVED WILSON-PADULA to authorize the advertisement for a public hearing for the mercantile tax appeal filed by ProCare on May 17, 2007 beginning at 9:00 AM. The motion was adopted by unanimous roll call vote of all present.

(7-110) MOVED WILSON-PADULA to authorize the postponement of the regularly scheduled meeting of the Board of Commissioners from May 14, 2007 until May 21, 2007 and authorizing the Manager to advertise. The motion was adopted by unanimous roll call vote of all present.

(7-111) MOVED FIALLA-PADULA to approve the payment of the Schedule of Bills, as presented. The payment of \$204,933.09 to A. Folino is contingent upon the final resolution of outstanding items for the Gilmore Drive catchbasins. The motion was adopted by unanimous roll call vote of all present.

Commissioners' Comments:

Commissioner Padula stated that the residents of the community should not listen to the "word on the street." The Board of Commissioners does not do business based upon the word on the street. If residents want to know what is going on in Wilkins Township, they should either attend a meeting, or speak with the manager. Mr. Padula thanked Mrs. Martinelli for her generous donation of \$2,000. toward 2007 Community Days and requested that the Recreation Board revise their request for donations letter by adding a sentence at the bottom indicating that all donations will be refunded to the donor in the event that Community Days does not take place. He also thanked the Recreation Advisory Board for all of their efforts to date and wished all of the candidates for upcoming election good luck.

Commissioner Fialla stated that although she voted against the donation of \$100.00 to the Turtle Creek Memorial Day Parade, she had voted in favor of donating \$300.00 to the East Pittsburgh VFW. She is not against donations to veterans groups. Mrs. Martinelli

corrected Ms. Fialla's statement by indicating that the VFW is in Wilkins Township, not in East Pittsburgh. She just feels if the Township does not have the money in the bank, regardless of whether it's in the budget, the Board should not spend it. She also indicated

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that she would take Dr. Szoko up on his recommendation to forfeit her stipend from the Township by terminating her vision and dental insurance and by donating her Commissioners' pay back to the Township.

Commissioner Wilson stated that unlike Ms. Fialla, his spouse is not an attorney and he will not be donating his Township stipend back to the municipality. He also thanked everyone for their attendance at the meeting and thanked Mrs. Martinelli for her donation to Community Days.

Commissioner Martinelli read an email received by the Township regarding Officer Kemp and the aid that he provided to a couple who had broken down on the Parkway recently. She thanked Officer Kemp for his efforts. Also, stated that the Century Club had generated \$2,500.00 from the recent Spaghetti Dinner and had already donated these funds back to various community groups. She also requested that the residents increase their paper recycling efforts so that the Century Club could take advantage of a special offer being given by Abitibi. She also invited any interested residents to help with the annual flower planting at the Pep Boys site on May 12th, beginning at 9:00 AM and finally stated that she is extremely disappointed that someone has seen fit to remove a number of her political campaign signs.

(7-112) MOVED WILSON-PADULA to adjourn. The meeting was adjourned at 8:05 PM. The motion was adopted by unanimous roll call vote of all present.

Respectfully submitted,

Rebecca Bradley
Secretary