

WILKINS TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING, MONDAY, AUGUST 10, 2009

The Regular Meeting of Monday, August 10, 2009 was brought to order at 7:00 PM, by President William G. Wilson. A quorum was present as follows:

Mr. Wilson		Ms. Fialla
Mr. Padula	Mr. Costa	Mr. Szoko

(9-199) MOVED PADULA-FIALLA to approve the minutes of the Public Hearing of July 13, 2009. The motion was adopted by unanimous roll call vote.

(9-200) MOVED PADULA-FIALLA to approve the minutes of the Regular Meeting of July 13, 2009. The motion was adopted by unanimous roll call vote.

Communications:

Brian Church, an intern with the Pittsburgh Department of City Planning submitted information regarding the Allegheny County Visitability Tax Credit. The County will provide a tax credit up to \$2,500. for individuals who renovate their homes to provide handicapped accessible features. This information will be posted on the Township's website and will be printed in the Township's next newsletter.

Pamela J. Beattie-Shore and Daniel Shore submitted correspondence thanking the Board of Commissioners and Mr. Vargo for all of their help during and after the flood of June 17th.

Gerry Meyer, Chairman of the Wilkins Township Civil Service Commission submitted correspondence advising the Board of Commissioners that 19 applications were filed for the position of police officer. Of those 19, 16 took the written test which was administered on Saturday, August 1, 2009. Ten of the sixteen who tested passed with a score of 80% or better. Nine of these applicants passed the physical agility test which was administered on Thursday, August 6, 2009. These applicants will attend oral interviews with Chief Al Parks and Chief Dale Kraeer on Tuesday, August 18th. It is the intent of the Commission to forward the top four scores to Chief Krancic for background checks. Following background checks, the Commission will provide a certified list to the Board of Commissioners for consideration.

Mr. Neal Harrison of EH Schwab, Lower Rodi Road submitted an email thanking the Township for their efforts to date removing fallen trees and debris from the stream and provided photographs of the work performed by Penn Hills upstream.

Citizens' Comments:

Ms. Kathy Strait of 460 Wilbur Avenue requested information regarding the recent meeting between Township officials and representatives of the Federal Emergency Management Agency; stated that she is not opposed to selling her house to the Township if the roadway is not repaired and noted that the guiderail attached to the retaining wall may cause a telephone pole to collapse if the guiderail is not removed and the wall moves further.

Ms. Thelma Landay of 1444 Laurel Drive requested that the Township repair or cause the responsible party to repair the damage to Hawthorne Drive caused when a waterline was installed to serve the new home on Cosenza Court.

Ms. Rebecca Hudak of 433 Wilbur Avenue stated that the trash on Wilbur Avenue was not picked up today; advised the Board that she is concerned about the impact on gas, sewer and water lines if the road and retaining wall on Wilbur continue to shift and thanked the Township for their responsiveness during and after the flood.

Mr. Nick DiDiano of 333 Cline Street requested help from the Board in cutting the grass at the property across the street from him, which was abandoned three years ago when the owner died.

Reports:

Police Report for July 2009:

	<u>2008</u>	<u>2009</u>
Total Police calls logged	311	299
Total Criminal Offenses Reported	21	44
Criminal Arrests/Persons Charged	16	14
Criminal Offenses Cleared	13	14
Traffic Citations Issued	88	18
Parking Tags Issued	2	8
Parking Citations Issued	0	7
Monies received during July	\$5,494.29	\$4,269.61

(9-201 MOVED FIALLA-PADULA to approve the request of Chief Krancic to attend the Allegheny County Police Training Academy Police Supervisory In-Service Training (POSIT) Program being held from November 9, 2009 through November 13, 2009 at a cost of \$585.00. The motion was adopted by unanimous roll call vote.

Public Works Superintendent Paul Vargos' Report for July 2009 has been filed in the Manager's Office.

WTVFD #3 has reported the following: Ten (10) Fires with 19.16 man-hours and Four (4) non-incident activities with 43.82 hours. Total man-hours for July 62.98

WTVFD #4 has reported the following: Ten (10) Fires with 39.25 man-hours, Two (2) Fire Schools with 17 man-hours, Three (3) Drills with 48.75 man-hours, Three (3) Work Details with 15.75 man-hours, and Two (2) Meetings with 44.25 man-hours. Total man-hours for July 165.

The WHEMS Report for July is on file with the above Fire Departments Reports.

July Building Permits Issued – Two (2) Pools and One (1) Pool and Deck. Total cost \$1,600.00.

The Township received \$3,289.47 in real estate transfer taxes during the month of July representing deed transfers which were recorded by the County in June. Total Real Estate Transfer Tax collections to date are: \$64,857.75 or 129.72% of budget.

Tax Collector's Report for July:

Balance Collectable	\$134,152.57
Less Face Collections	- 6,210.79
Balance Collectable – end of month	127,941.78
Face amount of Collections	6,210.79
Plus: Penalties	621.11
Total Cash Collected	\$6,831.90

PA Municipal Services – Act 511 Tax Report – July 2009

Earned Income Taxes:

Current Month	\$40,292.26	Previous Year	\$35,016.43	Difference
Current YTD	423,513.02	Previous YTD	372,177.68	\$51,335.34

Local Service Tax:

Current Month	20,235.52	Previous Year	2,543.72	Difference
Current YTD	92,153.94	Previous YTD	81,337.11	\$10,816.83

Business Tax (Mercantile & Business Privilege)

Current Month	34,401.52	Previous Year	24,362.22	Difference
Current YTD	419,922.73	Previous YTD	527,476.25	(\$107,553.52)

Dodaro, Matta & Cambest Report for July is on file in the Manager's Office.

Senate Engineers' Report for July is on file in the Manager's Office.

(9-202) MOVED SZOKO-FIALLA to approve the schedule of bills as presented, with the exception of the Solicitor's invoice, specifically the DeMarco Appeal, which totals \$3,060. The motion failed with Messrs. Costa, Padula and Wilson voting "NO".

(9-203)) MOVED SZOKO-COSTA to approve the schedule of bills as presented, with the possibility of a refund, if warranted, contingent upon clarification from the Solicitor on the DeMarco Appeal. The motion was adopted by unanimous roll call vote.

ORDINANCE NO. 998

AN ORDINANCE OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE POLICE EMPLOYEES OF SAID TOWNSHIP.

(9-204) MOVED PADULA-COSTA to read Ordinance #998 for the first time by title only.

(9-205) MOVED PADULA-FIALLA to accept the first reading of Ordinance #998.

(9-206) MOVED PADULA-COSTA to read Ordinance #998 for the second time by title only and to accept the second reading of Ordinance #998.

(9-207) MOVED PADULA-FIALLA to adopt Ordinance #998.

Motions 9-204 through 9-207 were adopted by unanimous roll call vote.

ORDINANCE NO. 999

AN ORDINANCE OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE CODIFIED BOOK OF ORDINANCES, PART II, CHAPTER 124, PROPERTY MAINTENANCE, TO PROVIDE A HEIGHT LIMITATION FOR WEEDS OR PLANT GROWTH.

(9-208) MOVED FIALLA-SZOKO to read Ordinance #999 for the first time by title only.

(9-209) MOVED PADULA-COSTA TO ACCEPT THE FIRST READING OF #999.

(9-210) MOVED COSTA-SZOKO to read Ordinance #999 for the second time by title only and to accept the second reading of Ordinance #999.

(9-211) MOVED PADULA-FIALLA to adopt Ordinance #999.

Motions 9-208 through 9-211 were adopted by unanimous roll call vote.

- (9-212) MOVED FIALLA-PADULA to authorize the Manager to submit a Letter of Intent to the U.S. Army Corps of Engineers requesting that they undertake a flood reduction investigation along Chalfant and Saw Mill Runs in accordance with Section 205 of the Flood Control Act of 1948, as amended. The motion was adopted by unanimous roll call vote.
- (9-213) MOVED PADULA-FIALLA to authorize the release of \$6,917. in funding to Woodland Hills Emergency Medical Services representing the Township's 2009 donation. The motion was adopted by unanimous roll call vote.
- (9-214) MOVED COSTA-PADULA to authorize the release of \$2,100. in funding to C.C. Mellor Memorial Library representing the Township's 2009 donation. The motion was adopted by a 4 to 1 vote with Mr. Szoko voting "NO".
- (9-215) MOVED PADULA-COSTA to approve the request of Mr. N. Leonard Hill to attend a one-half day seminar on August 26, 2009 at the Holiday Inn Pittsburgh Airport from 1:00 PM until 4:30 PM being sponsored by the PA Construction Code Academy regarding the International Fire Code at a cost of \$65.00. The motion was adopted by unanimous roll call vote.
- (9-216) MOVED PADULA-COSTA to approve a Memorandum of Understanding between the Township of Wilkins and the Center for Environmental Research and Education at Duquesne University of the Holy Spirit (CERE), engaging CERE to provide technical services to carry out the greenhouse gas emissions inventories for Penn Hills, Wilkins and Forest Hills in conjunction with the DEP Greenhouse Gas Pilot Program Grant. The motion was adopted by a 4 to 1 vote with Mr. Szoko voting "NO".
- (9-217) MOVED COSTA-PADULA to adopt Resolution #11-2009, authorizing the Township to join ICLEI – Local Governments for Sustainability. The motion was adopted by unanimous roll call vote.

Appointment of Elected Official Liaison, Staff Liaison and Media Liaison – Mrs. Bradley explained that ICLEI requires the Township to appoint an elected official, staff and media liaison to be the primary points of contact for the Township. Chairman Wilson appointed Commissioner Fialla as the Elected Official Liaison and Mrs. Bradley as the Staff and Media Liaison.

- (9-218) MOVED COSTA-PADULA to accept the recommendation of the Planning Commission, appointing the firm of Herbert, Rowland and Grubic, Inc. (HRG) as project manager for the Lions Park Master Site Plan at a cost of \$24,450. to be funded through a CDBG Year 35 grant and administered by the Turtle Creek Council of Governments. The motion was adopted by unanimous roll call vote.
- (9-219) MOVED PADULA-FIALLA to approve a Memorandum of Understanding between the Township of Wilkins, the Wilkins Township Maintenance Employees Association and Mr. John Regrut, permitting Mr. Regrut to live outside of Wilkins Township due to the destruction of his residence on Larimer Avenue during the flood of June 17, 2009. The motion was adopted by unanimous roll call vote.
- (9-220) MOVED PADULA-COSTA to authorize any elected official to attend the Allegheny County & Western Pennsylvania Association of Township Commissioners 37th Annual Joint Fall Conference from October 1st – 4th. The motion was adopted by unanimous roll call vote.

RESOLUTION NO 12-09

A RESOLUTION OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE EXECUTION OF A RIGHT-OF-ENTRY AND RELEASE AGREEMENT BETWEEN THE COUNTY OF ALLEGHENY AND THE TOWNSHIP OF WILKINS FOR THE PURPOSE OF RESTORING THOMPSON RUN TO THE CONDITIONS SPECIFIED UNDER THE U.S. ARMY CORPS OF ENGINEERS TURTLE CREEK FLOOD PROTECTION PROJECT.

(9-221) MOVED FIALLA-SZOKO to read Resolution No. 12-09 by title only. The motion was adopted by unanimous roll call vote.

(9-222) MOVED FIALLA-COSTA to adopt Resolution No. 12-09. The motion was adopted by unanimous roll call vote.

RESOLUTION NO. 13-09

A RESOLUTION OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE EXECUTION OF A RIGHT OF ENTRY AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF ABANDONED MINE RECLAMATION AND THE TOWNSHIP OF WILKINS FOR THE PURPOSE OF A SUBSURFACE DRILLING INVESTIGATION.

(9-223) MOVED FIALLA-SZOKO to read Resolution #13-2009 by title only. The motion was adopted by unanimous roll call vote.

(9-224) MOVED COSTA-FIALLA to adopt Resolution #13-2009. The motion was adopted by unanimous roll call vote.

(9-225) MOVED FIALLA-COSTA to accept the recommendation of the Engineer, authorizing payment in the amount of \$147,803.69 to Morgan Excavating, L.P., representing contract award of \$141,961 plus change order #1 (\$22,265.32) less 10% retainage (\$16,422.63) for the 2009 Road Paving Project (Kingston and Stevendale) The motion was adopted by unanimous roll call vote.

(9-226) MOVED COSTA-FIALLA to accept the recommendation of the Engineer authorizing final payment in the amount of \$14,885.08 to Investment & Enterprise, Inc., for phase one of the critical sewer repair project. The motion was adopted by unanimous roll call vote.

(9-227) MOVED PADULA-COSTA to approve the request of Mr. Vargo to rent equipment necessary to complete sedimentation removal in Chalfant and Saw Mill Run under an expected Emergency Permit issued by DEP in the event that County and/or Commonwealth resources are unavailable. The motion was adopted by unanimous roll call vote.

Commissioners' Comments:

Commissioner Szoko thanked Commissioner Fialla for her efforts in providing aid to residents who were affected by the flood, including Mr. Regrut; stated that he reviewed the damages to Wilbur Avenue the day following the collapse; and read a memorandum that he prepared entitled "Financial Belt Tightening."

Commissioner Padula provided information regarding the Woodland Hills Foundation and their current need for additional space to accept donations from Home Depot to aid residents affected by the flood; thanked Pastor Linda Theophilus for all of her help with the flood victims; stated that he believes that we have a good chance at receiving FEMA

funding; thanked the Public Works Department for all of the work that they have done removing trees and debris from the streams; and commented that neither Commissioner Szoko nor Commissioner Fialla have attended the meetings held by Three Rivers Wet Weather.

Commissioner Fialla thanked Mrs. Franc for her excellent transcription of the minutes from the last meeting; stated that she spoke with John Schombert from Three Rivers Wet Weather and she would like to put on a program for the residents to educate them about what causes flooding and what different agencies are responsible for; commented upon the program in Turtle Creek sponsored by Allegheny Health and Human Services last week to provide flood victims with information relative to IRS filings of uninsured losses and stated that she has kits for those individuals who were unable to attend; commented that she believes the Township is making progress by working with the Army Corps of Engineers on a feasibility study; asked residents who have not yet submitted a report of financial losses from the flood to please do so and commented upon an article in the Pittsburgh Tribune Review regarding a mudslide control project in Millvale.

Commissioner Costa thanked Mr. Quade of Senate Engineering for the excellent job he did representing the Township with FEMA representatives last week; commented that the interceptor project that Wilkins and Penn Hills are working on is completely separate from the complaints that Mr. Durr has filed regarding raw sewage; stated that he does not agree with Commissioner Szoko that the Summer Festival should be reduced from five days to one day because the festival benefits the Township's non profits and has been close to self-sufficient for several years; stated that he believes the cessation of frivolous lawsuits will go a long way to curb unnecessary spending; and commented that he was disappointed that Mr. DiDiano did not take him up on his offer to meet with him on Cline Street to review the situation with Mr. Slat's house.

Commissioner Wilson thanked Mrs. Luffe for all of her help last week when representatives of FEMA were here; read a memorandum from October of 2008 regarding his perception that Commissioner Szoko is continuing his campaign of harassment and the creation of a hostile work environment against the manager as is apparent again in his newest memorandum and thanked everyone for their attendance at the meeting.

(9-228) MOVED PADULA-COSTA to adjourn. The meeting was adjourned at 9:55 PM. The motion was adopted by unanimous roll call vote.

Respectfully submitted,

Rebecca Bradley
Secretary