



Dr. Michael Grimes of 140 Curry Street submitted correspondence questioning the Township's requirement that a property owner who is seeking to refinance their mortgage is required to submit to a dye test. Based upon Dr. Grimes review of the ordinance, a dye test is only required at the time of the sale of a property. Mrs. Bradley stated that Section 131-63 of the Ordinance states that the Township cannot issue a No-Lien Letter without having first received evidence of compliance (i.e., a dye test). Because this section of the code does not specify that there is an exception granted for a refinance, the Township has historically taken the position that evidence of compliance must be submitted. This issue was referred to the Solicitor for review and recommendation.

Citizens' Comments:

Mrs. Sylvia Martinelli, 210 George Lane spoke on behalf of the Memorial Day Committee. She thanked Commissioner Wilson, Commissioner Costa, Veterans of Foreign Wars Post Commander Terry Tally, Paul Palko, Jobe Funeral Home, Jerry Meyer and the women of the Century Club for their help in arranging a Memorial Day remembrance.

Ms. Denise Richardson of 528 Lucia Drive thanked Commissioner Costa and the Century Club for their kind donations during the time of her daughter's illness and subsequent death last year.

Mr. Terry Tully, Commander of the Wilkins VFW Post requested consideration from the Board in the payment of mechanical device tax on postage stamp machines and a pool table. The VFW is a nonprofit organization and is losing \$500.00 per month more this year than last. The Solicitor will review this request.

Mr. Timothy Saunders of 908 Rita Drive read correspondence which was forwarded to the Editor of the Pittsburgh Post-Gazette and reporter Deborah Todd regarding an article published by the Post-Gazette on May 21<sup>st</sup> in which Rhonda Lazarus, a candidate for local office, accused public works employees of removing her political signs. A police investigation determined that the signs were removed by an employee of the establishment where the signs were located in accordance with directions received from the owner of the establishment.

Mr. John Mihm of 1409 Jefferson Heights commented upon the proposed rezoning of Jefferson Heights Road. Mr. Mihm presented letters from 30 of the 33 homes included in the proposed rezoning area. In each instance, the property owner stated that they strongly disapprove of rezoning their property from R-2 to R-3 and recommended that the Board of Commissioners vote "no" to the rezoning. Mr. Mihm stated that the residents are concerned about rezoning all of Jefferson Heights R-3 because even though the School District's property remains zoned R-2, it would be completely surrounded by R-3. The residents believe that in the future, the owner of the School District property may have an argument that the property should likewise be zoned R-3. The residents do not want multi-family dwellings to be constructed on that site. Multi-family dwellings are permissible in an R-3 zoning district, but not in an R-2 zoning district.

Mr. Thomas Doemling of 437 Dunbar Drive questioned whether a change from R-2 to R-3 would permit group homes to locate in that area.

Chairman Wilson requested that the Board of Commissioners bring this issue to a vote, if there were no further comments from residents on the matter.

(9-156) MOVED FIALLA-COSTA to authorize the Solicitor to prepare an ordinance amending the Township’s Zoning Ordinance and Zoning Map to change the zoning of those properties identified in the report prepared by Thomas Graney of GCCA and recommended by the Planning Commission in the following areas of the community: Brown Avenue, Larimer Avenue and Ridgecrest Drive. The proposed rezoning for Jefferson Heights Road is specifically excluded. The motion was adopted by unanimous roll call vote.

Citizens’ Comments:

Ms. Marilyn Viggiano of 931 Larimer Avenue questioned whether or not the Planning Commission consultant recommended not rezoning Railroad Street due to the home that is being remodeled at the end of the street. She is requesting that the Board reconsider changing the zoning on Larimer Avenue between Harrison Road and Churchill Road.

Ms. Darlene Viggiano of 931 Larimer Avenue stated that she believes that placing an overlay zone between Harrison and Churchill will further exacerbate the traffic on Larimer Avenue. The addition of businesses will further the deterioration on Larimer, not improve it.

Reports:

Monthly Police Report for May 2009:

	<u>2008</u>	<u>2009</u>
Total Police Calls Logged	243	276
Total Criminal Offenses Reported	46	32
Criminal Arrests/Persons Charged	42	17
Criminal Offenses Cleared	31	11
Traffic Citations Issued	23	34
Parking Tags Issued	7	5
Monies Received during May	\$6,518.83	\$4,365.58

Superintendent Paul Vargas’ Public Works Report is on file in the Manager’s Office.

WTVFD #1 reported the following for April 2009:

- 12 Fires, man-hours 37.5
- 3 Practices, man-hours 78
- 1 Meeting, man-hours 1
- 3 Training Sessions, man-hours 3
- Total man-hours for the month 277.5

WTVFD #3 reported the following for May 2009:

- 20 Fires, man-hours 142.34
- 1 Training Session, man-hours 1
- 9 Activities, man-hours 168.50
- Total man-hours for the month of May 343.84

The WHEMS Report for April 2009 is filed with the WTVFD Reports in the Manager’s office.

Building Permits issued during May 2009:

- One (1) Commercial Operation (DECK) – Carl’s Tavern – Cost \$2,500.00
- One (1) Replacement Roof – Myers Bus Garage – Cost \$48,500.00
- One (1) Demolition – LG Realty Adv. – Cost \$62,000.00
- Three (3) DECKS – Total Cost \$14,205.00
- One (1) Porch Roof – Cost \$5,700.00

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One (1) Patio Room – 111 Hawthorne – Cost \$29,160.00  
One (1) door and Retaining Wall – Cost \$4,000.00

The Township received \$1,251.95 in real estate transfer taxes during the month of May representing deed transfers which were recorded by the County in April. Total Real Estate Transfer Tax collections to date are: \$57,598.79 or 115.2% of budget.

Tax Collectors Report for May 2009:

Balance Collectable	\$217,902.65
Deductions (exonerations)	-522.61
Adjusted Collectable	217,380.04
Less Face Collections for month	21,815.85
Exonerations (Refunds this month)	259.95
Balance Collectable – end of month	195,564.19
Total Refunds to Date	259.95
Face Amount of Collections	21,815.85
Total Cash Collected	\$21,815.85

Pennsylvania Municipal Services – Act 511 Tax Report

Earned Income Taxes:

Current Month	78,730.82	Previous Year	89,262.91	Difference
Current YTD	279,680.41	Previous YTD	256,199.30	\$23,481.11

Local Service Tax:

Current Month	14,911.30	Previous Year	37,634.32	Difference
Current YTD	57,073.53	Previous YTD	57,767.10	(\$693.57)

Business Tax (Mercantile & Business Privilege)

Current Month	332,640.54	Previous Year	419,327.27	Difference
Current YTD	332,640.54	Previous YTD	467,321.86	(\$134,681.32)

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

Mr. Rushford commented upon the following:

1. Today, the Township received a final settlement and release agreement from Mr. Guthrie. The Agreement was signed today in the presence of Judge Lenihan
2. The Township received a favorable decision from the appeal of Dr. Szoko to the Commonwealth Court on Mrs. Bradley's employment contract. The three-judge panel of the Commonwealth Court ruled that Dr. Szoko did not have standing to bring the action against the Township.
3. The Township received a favorable ruling from the Arbitration Hearing which was requested by a Police Officer. The arbitrator ruled that the Township acted appropriately and that no past practice existed to provide the officer with additional benefits.

RESOLUTION NO. 8-09

A RESOLUTION OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, RATIFYING THE ACTION TAKEN BY THE BOARD OF COMMISSIONERS ON MONDAY, JUNE 8, 2009, BEFORE FEDERAL MAGISTRATE JUDGE LENIHAN, EXECUTING A SETTLEMENT AGREEMENT AND FULL AND FINAL RELEASE BETWEEN THE TOWNSHIP OF WILKINS AND KEITH D. GUTHRIE.

(9-157) MOVED PADULA-FIALLA to adopt Resolution #8-2009, ratifying the action taken by the Board of Commissioners on Monday, June 8, 2009, executing a full and final settlement and release between the Township of Wilkins and Keith D. Guthrie. The motion was adopted by unanimous roll call vote.

(9-158) MOVED SZOKO-COSTA to pay the Schedule of Bills in the amount of \$200,361.38, as presented. The motion was adopted by unanimous roll call vote.

Mrs. Bradley advised the Board that she received a request from Mr. Steve Schwarzwaelder to utilize the Community Center for a weekly Bridge Game with roughly 100 participants every Friday evening from 6:30 until 10:45. They are currently paying \$80.00 a night at their current location. Mrs. Bradley also recommended that instead of the Board of Commissioners attempting to address all of the issues with rules and regulations, that it would be more appropriate to have the Commissioners who comprise the Recreation Committee meet and bring back recommendations to the Board. The Commissioners agreed to this approach.

(9-159) MOVED COSTA-PADULA to authorize the Manager to forward a proposed ordinance amending the zoning ordinance (definitions) for transient and non-transient uses to Allegheny County for review and recommendation; to advertise a public hearing and advertise adoption of the amendment. The motion was adopted by unanimous roll call vote.

Ridgewood Manor Association: The Board discussed whether or not to accept the offer made by the Ridgewood Manor Association to donate five acres of land located behind Ridgewood and Gilcrest Drives. After discussion, the matter was tabled until interested Commissioners could visit the site.

(9-160) MOVED PADULA-COSTA to authorize the appropriate officials to execute a contract between the Township of Wilkins and Code.sys , Code Consulting for the provision of electrical inspection services to the Township. The motion was adopted by a 4 to 1 vote with Mr. Szoko voting “NO”.

(9-161) MOVED COSTA-PADULA extending the probationary period of Chief Edward Krancic for thirty additional days to provide an opportunity for the Civil Service Board to administer a noncompetitive civil service examination and make recommendation to the Board of Commissioners. The motion was adopted by unanimous roll call vote.

RESOLUTION NO. 7-2009

A RESOLUTION OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, TO ADOPT AN AMENDMENT TO THE MANUAL OF RULES AND REGULATIONS GOVERNING THE OPERATION OF THE TOWNSHIP POLICE DEPARTMENT AND DEFINING THE DUTIES OF THE POLICE DEPARTMENT EMPLOYEES.

(9-162) MOVED PADULA-COSTA to adopt Resolution No. 7-2009. The motion was adopted by unanimous roll call vote.

(9-163) MOVED COSTA-PADULA to approve Officer Schlanger’s request to attend a grant writing workshop sponsored by the Local Government Academy to be held at the Forest Hills/Westinghouse Recreation Center on Wednesday, June 10, 2009 from 9:00 AM until 3:30 PM at a cost of \$50.00. The motion was adopted by unanimous roll call vote.

- (9-164) MOVED FIALLA-SZOKO to approve the request of the Penhurst/Grayhurst Civic Association to hold a summer block party on August 15, 2009 from 4:00 PM until 8:00 PM, authorizing the provision of barricades to block off Radcliff Drive for the party and approving the request to have a disc jockey, pursuant to the residents' adherence to the Township's noise ordinance. The motion was adopted by unanimous roll call vote.
- (9-165) MOVED FIALLA-PADULA to approve the request of the Ridgewood Manor Association to hold a block party on Saturday, June 27<sup>th</sup> (rain date – June 28<sup>th</sup>) upper Gilcrest Drive from 4:00 PM until 9:00 PM and authorizing the provision of barricades to block off Gilcrest Drive. The motion was adopted by unanimous roll call vote.
- (9-166) MOVED FIALLA-SZOKO to approve the request of the Monroeville Arts Council and Summer Art Show to borrow 25 art screens and covers for the 21<sup>st</sup> Annual Art Exhibit (July 17-19). The motion was adopted by unanimous roll call vote.
- (9-167) MOVED FIALLA-COSTA to authorize the manager to advise surrounding municipalities that the Township of Wilkins is interested in continuing to pursue funding for a multi-municipal comprehensive plan. The motion was adopted by unanimous roll call vote.
- (9-168) MOVED PADULA-SZOKO to refer Mr. Lawrence Patchel's request for a change of zoning for 25 acres of property located at lot/block #454-A-115 to the Planning Commission. The motion was adopted by unanimous roll call vote.
- (9-169) MOVED COSTA-PADULA to accept the recommendation of the Planning Commission to approve the (reverse) subdivision application of Michaels/Ballock for property located on Dowling Avenue. The motion was adopted by unanimous roll call vote.
- (9-170) MOVED SZOKO-FIALLA to authorize the Manager to prepare and advertise an amendment to the zoning ordinance to reduce the acceptable height of grass from less than 12" to less than 8". The motion was adopted by a 4 to 1 vote with Mr. Padula voting "NO".
- (9-171) MOVED COSTA-SZOKO to refer the proposals received for the Lion's Park Master Site Plan to the Planning Commission for review and recommendation. The motion was adopted by unanimous roll call vote.
- (9-172) MOVED PADULA-COSTA to accept the recommendation of Mr. McKeever, awarding the bid for the demolition of 512 Washington Street to R & B Contracting and Excavation at a low bid price of \$6,600.00. The motion was adopted by unanimous roll call vote.
- (9-173) MOVED COSTA-SZOKO to accept the recommendation of Mr. Vargo to employ Robert Pistella of 101 Lucinda Drive to the position of Public Works summer help at \$9.00 per hour for a maximum of 640 Hours. The motion was adopted by unanimous roll call vote.
- (9-174) MOVED COSTA-PADULA to accept the recommendation of the Recreation Advisory Board to approve a Fire Truck Cruise, sponsored by VFC's #1, #3 and #4 on Saturday, June 20, 2009 from 12 PM until 5PM in conjunction with the Summer Festival..The motion was adopted by unanimous roll call vote.

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Mrs. Bradley advised the Board that the Wilkins Township Century Club recently donated \$1,000.00 to the Township for the purpose of purchasing and installing blinds at the Community Center. In addition, Chairman Wilson advised the Board that the Wilkins Township Senior Citizens donated a microwave to the Center. Letters of thanks will be sent.

(9-175) MOVED PADULA-COSTA to approve the request of the Wilkins Township Democratic Committee to use the Community Center on Saturday, June 13, 2009 for a brief meeting beginning at 10:00 M, The motion was adopted by unanimous roll call vote.

Commissioners' Comments:

Commissioner Szoko requested that the Public Works and Police Department determine why the gas pump is not recording and resolve this issue as soon as possible; questioned the progress at Showcase Cinemas; remarked that he would like to see some of the stimulus funds used on Churchill Road to pave it and put in sidewalks.

Commissioner Padula thanked the Recreation Advisory Board for their continued hard work on this years' planned Summer Festival; thanked Mr. Rushford, Ms. Clarke, Mrs. Bradley and everyone else who was involved in settling the Guthrie litigation; advised Chief Krancic to hang in there – the Board would now move on and provide his noncompetitive civil service testing; thanked the Century Club for their donation and thanked the Planning Commission for all of their work on the proposed rezoning.

Commissioner Fialla questioned whether or not the Township had ordered a sign indicating that funding for the Community Center was provided in part by the DCED; thanked the Century Club for their donation of blinds for the Center and their donation to the Fire Departments; stated that she voted “NO” on approval of the minutes from the Public Hearing because citizens' comments were not recorded and thanked the residents for coming out in regard to the proposed rezoning.

Commissioner Costa thanked the residents for coming to the meeting and staying through to the end; thanked the Century Club for donating the blinds for the Community Center; thanked the public works department for their work on the Community Center and thanked Mr. Rushford and Mrs. Bradley for their work in resolving the Guthrie case.

Commissioner Wilson thanked Mr. Wolfgang and the Planning Commission for their hard work on the rezoning; asked Deborah Todd (PG Reporter) to try to help the Public Works in their efforts to publish the fact that Mrs. Lazarus' comments regarding the removal of her sign were untrue; thanked the Century Club and Senior Citizens for their donations to the Community Center and stated that he is glad the Guthrie case is now resolved because it is a positive step forward for the whole community.

Mrs. Bradley stated that following adjournment of the meeting, the Board of Commissioners would be meeting in Executive Session to discuss a personnel matter. There will be no action taken following the Executive Session and therefore, the meeting can be adjourned.

(9-176) MOVED COSTA-PADULA to adjourn. The meeting was adjourned at 9:21 PM. The motion was adopted by unanimous roll call vote.

Respectfully submitted,

Rebecca Bradley  
Secretary

