

**BOROUGH OF MILLVALE
COUNCIL MEETING MINUTES**

August 9, 2011

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PRE-MEETING 6:30 & REGULAR MEETING 8:00 PM

COUNCIL PRESENT: JIM PORTER, DON GILLESPIE, AL ATKINSON, JACK VARLEY,
JAMES MACHAJEWSKI, POLLY GRIMPE, EDWARD WIRKOWSKI
ENGINEER PHIL HERMAN
SOLICITOR MIKE WITHEREL

ABSENT: NONE

1. DISCUSSED LETTER WRITTEN BY MIKE WITHEREL REGARDING DONNA SANFORD ON HER CONDITIONAL USE REQUEST. WILL BE VOTED ON AT THE REGULAR MEETING.
2. DISCUSSED THE DECK REPAIR ON THE FREMONT STREET BRIDGE. IT IS RECOMMENDED BY OUR ENGINEER TO REPAIR THE BRIDGE TEMPORARILY AND THEN TRY TO FIND FUNDS TO REPLACE DECK OF THE BRIDGE THRU THE COG, COUNTY, SPC, TIP ETC.. COUNCIL ASKED SENATE TO GET THE DETAILS OF THE REPAIR TO THE MANGER FOR THE ROAD CREW TO DO THE REPAIR.
3. MANAGER STATED THAT THE FIRST PLANNING MEETING WAS HELD. A NUMBER OF THINGS WERE DISCUSSED, BUT THE MAIN THING WAS THAT EVERY MUNICIPALITY WANTED TO STILL HAVE THEIR OWN PLANNING BOARD. THE NEXT MEETING WILL BE HELD ON AUGUST 24.
4. ED WIRKOWSKI THOUGHT THAT WE SHOULD ADD THE LOCATION OF THE STREET LIGHTS TO THE MINUTES THAT WE WERE APPLYING FOR FUNDS THRU THE ARLE GRANT. IT WAS AGREED THAT THIS WAS A GOOD IDEA.
5. MANAGER STATED THE AUDITOR TOLD HER THE NEW PROPERTY ASSESSMENTS WOULD BE GOING OUT LATE NEXT YEAR. BECAUSE OF THIS IT IS POSSIBLE WE MAY HAVE TO USE OUR OWN MONEY OR THINK OF TAKING A TAX ANTICIPATION LOAN. WE SHOULD THINK ABOUT THIS AT BUDGET TIME.
6. MANAGER STATED THAT WE RECEIVED TWO QUOTES ON THE WORKMEN'S COMP INSURANCE. ONE WAS FOR \$60,018 FROM AMERIHEALTH AND THE OTHER ONE WAS FROM SWIF FOR \$74,270, AN INCREASE OF \$9,647.00 FROM LAST YEAR. THE BOROUGH SELECTED AMERIHEALTH.
7. THE MANAGER STATED THAT SHE RECEIVED A LETTER FROM THE BARKING DOG COMPLAINT FROM THE OWNER OF THE DOG THAT THE BOROUGH HAD A COMPLAINT ON LAST MONTH. WE SENT THEM A LETTER AFTER THE LAST MEETING. WE DID RECEIVE A SECOND LETTER FROM THE RESIDENTS WHO COMPLAINED. THE BOROUGH MANAGER READ BOTH LETTERS AND SHE STATED SHE HAD ASKED RESIDENTS WHO WERE TAKING CARE OF THE GARDENS WHERE THE DOG IS IF THEY ARE HEARING CONTINUOUS DOG BARKING. THEY SAID NO. COUNCIL DID NOT MAKE ANY OTHER DECISION ON THIS MATTER.
8. MANAGER STATED THAT SHE SENT LETTERS ASKING FOR SUPPORT FOR THE RAILROAD SPUR. WE RECEIVED ONE FROM ARTEZ AND THE FRIENDS OF THE RIVERFRONT. RECEIVED A QUOTE FOR THE FENCE IN THE AMOUNT OF \$36,400.00. THE BOROUGH SHOULD BE ABLE TO SUBMIT TO THE RAILROAD SOON. COUNCIL AGREED TO KEEP THIS MOVING.
9. WE RECEIVED A COMPLAINT FROM THE BLUME'S ON MARYLAND AVENUE IN REGARDS TO THE NEW WALL. WE THOUGHT THE CONTRACTOR TOOK CARE OF THE PROBLEMS THEY HAD. THEY PUT A COMPLAINT IN WITH DOM COSTA'S OFFICE. MRS. GRIMPE BROUGHT IT TO THE BOROUGH'S ATTENTION AND OUR ENGINEER WAS GOING TO CONTACT THE CONTRACTOR. ENGINEER DID CONTACT HIM AND HE STATED HE WOULD BE WILLING TO MEET WITH THEM AT DOM COSTA'S OFFICE TO HOPEFULLY RESOLVE THEIR PROBLEMS..
10. MANAGER STATED THAT GIRTY'S RUN IS GOING TO DO A SEPARATION STORM PROJECT WITH A CDBG GRANT THEY RECEIVED. THEIR ENGINEER WANTED TO KNOW IF WE WOULD BE WILLING TO ACCEPT THE STORM SEWER IN OUR MS4 PROGRAM. IT WAS AGREED BY COUNCIL 7/0. ALCOSAN ALSO BROUGHT UP THAT SINCE EVERYONE HAS BEEN REMOVED FROM THE INTERCEPTOR ON RT 28, THEY WOULD BE COMING SOON TO TALK TO MILLVALE ABOUT RE-ROUTING OUR SEWAGE FROM THE RIVERFRONT PARK.
11. ED WIRKOWSKI BROUGHT UP ABOUT GETTING A BULLETIN BOARD. COUNCIL ASKED HIM TO GET SOME QUOTES AND BRING IT BACK TO THEM NEXT MONTH.

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12. JACK VARLEY DISCUSSED RESIDENTS LEAVING THEIR GARBAGE CANS OUT IN FRONT OF THEIR HOUSES AT ALL TIMES, AS WELL AS PUTTING THEIR GARBAGE OUT TO SOON. THERE WAS A DISCUSSION ON CHANGING THE ORDINANCE, BUT NO DECISION WAS MADE. MR. VARLEY ALSO BROUGHT UP OUR BUILDING PERMITS STATING WE GIVE RESIDENTS TO LONG OF A TIME PERIOD TO COMPLETE THE WORK. COUNCIL DISCUSSED THE ISSUE BUT NO CHANGE WAS DECIDED ON.
13. MANAGER STATED THAT JEFF BERGMAN FROM TREE VITALIZE WAS MEETING WITH PENNVEST ON THE TREE GRANT AND THAT IT WAS STILL MOVING ALONG.

EXECUTIVE SESSION FROM 6:40 TO 7:32 PERSONNEL & PROPERTY

THE AUGUST 9, 2011 REGULARLY SCHEDULED MEETING OF THE BOROUGH OF MILLVALE COUNCIL WAS CALLED TO ORDER AT THE BOROUGH COUNCIL CHAMBERS AT 8:10 PM BY PRESIDENT JIM PORTER, THE PLEDGE OF ALLEGIANCE WAS RECITED AND COUNCIL PRESIDENT ANNOUNCED THAT THE MEETING WAS BEING TAPED.

ROLL CALL: COUNCIL MEMBERS PRESENT – JIM PORTER, DON GILLESPIE, AL ATKINSON, JACK VARLEY, POLLY GRIMPE, JIM MACHAJEWSKI, EDWARD WIRKOWSKI

OTHERS PRESENT: SOLICITOR MIKE WITHEREL, ENGINEER-PHIL HERMAN
MAYOR CINSKI

ABSENT: CHIEF MILLER

SINCE EVERY MEMBER OF COUNCIL AND ALL BOROUGH OFFICIALS HAD AN OPPORTUNITY TO READ THE MINUTES OF THE JULY 12, 2011, WITH THE CORRECTION AND NO DELETIONS A MOTION WAS REQUESTED TO ACCEPT THOSE MINUTES.

MOTION: DON GILLESPIE
ROLL CALL VOTE: 7/0

SECOND: ED WIRKOWSKI

PUBLIC COMMENTS:

DAVE PICKL - 611 FARRAGUT STREET- ASKED COUNCIL TO PUT A STOP SIGNS AT THE TOP OF FARRAGUT STREET, TO STOP VEHICLES FROM COMING UP FROM THE BOYS CLUB AND NOT STOPPING. THEY WERE AFRAID THAT SOMEONE WAS GOING TO GET HIT THERE SINCE THIS IS A FOUR WAY INTERSECTION. COUNCIL AGREED TO PUT TWO SIGNS UP.

ALLISON WAGNER- 601 FARRAGUT - COMPLAINED ABOUT 603 FARRAGUT STREET AND BEING A FIRE HAZARD. DOESN'T THINK HE HAS CURRENT OCCUPANCY PERMITS AND BELIEVE THEY ARE BEHIND IN THEIR TAXES. COUNCIL SAID THAT THEY WOULD HAVE THE CODE ENFORCEMENT OFFICER LOOK INTO IT. PRESIDENT OF COUNCIL STATED WE WOULD LOOK INTO ATTACHING HIS RENT FOR BACK TAXES.

LISA SEAL – FROM THE FRIENDS OF THE MILLVALE LIBRARY CAME TO THE MEETING TO DISCUSS GETTING A PERMIT FOR THE RIVERFRONT PARK. THE BOROUGH MANAGER STATED THAT AFTER ALL OF THE CONFUSION ON GETTING THIS RENTAL COUNCIL DECIDED NOT TO RENT THE PAVILION OUT FOR THE EVENT. LISA ASKED FOR CLARIFICATION SO SHE COULD TAKE IT BACK TO HER BOARD. THE MANAGER STATED THAT ONE OF THE BOARD MEMBERS OF THE LIBRARY HAD COME TO THE BOROUGH TO DISCUSS THIS EVENT. THE BOROUGH WAS NOT AWARE OF THIS EVENT. I HAD TRIED TO

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GET MORE INFORMATION FROM BRIAN WOLOVICH ON THE EVENT BY ASKING OUR MAIN STREET MANAGER TO TALK TO BRIAN AND WAS TOLD THAT THE EVENT WAS PROBABLY NOT GOING TO HAPPEN. IT WAS THEN PUT UP ON YOUR WEBSITE. ORIGINALLY WE WERE TOLD THAT THIS EVENT WAS GOING TO BE A BIKE RUN WITH LIMITED HOURS. THIS IS WHY WE AGREED TO GIVE YOU A DISCOUNTED RATE IN ORDER TO HELP THE LIBRARY. THEN WE WERE TOLD THAT IT WASN'T REALLY THE LIBRARY HOLDING THIS EVENT, IT WAS THE FRIENDS OF THE LIBRARY WITH TOTALLY DIFFERENT HOURS AND A TOTALLY DIFFERENT VENUE HAVING MUSIC DOWN AT THE PARK UNTIL MIDNIGHT. WE NEVER HAD THIS AT THE PARK BEFORE. ALL OF THE FUND RAISING EVENTS HAVE BEEN OVER BY 9:00. LISA THEN STATED SHE THOUGHT THAT AFTER SHE HAD TALKED TO THE MANAGER, THIS HAD ALL BEEN RESOLVED. SHE TALKED TO THE CITY OF PITTSBURGH ABOUT THEIR SOUND ORDINANCE AND DIDN'T SEE A PROBLEM WITH HAVING MUSIC UNTIL MIDNIGHT DOWN AT THE PARK. THE MANAGER STATED THAT SINCE SHE DID NOT HAVE A SIGNED CONTRACT WITH THE BOROUGH, COUNCIL DECIDED THEY WERE NOT GOING TO RENT IT BECAUSE ORIGINALLY IT WAS A BIKE RUN AND THE MISCOMMUNICATIONS WITH THIS EVENT. LISA STATED THAT SHE HAD TRIED TO GET THE CONTRACT 6 WEEKS AGO AND THAT SHE DIDN'T SAY FOR SURE WHAT SHE WAS GOING TO DO. KIM DEMBOWSKI WHO RENTS THE HALL STATED THAT SHE DID ASK HER WHAT SHE WAS HAVING AND THAT SHE WAS SUPPOSE TO GET AN EMAIL FROM HER WITH HER ADDRESS. BRIAN STATED THAT THERE WAS A LOT OF CONFUSION IN THIS MATTER AND HE DOESN'T SEE WHY SO MANY PEOPLE ARE INVOLVED. LISA STATED SHE DIDN'T THINK SHE NEEDED TO TELL US WHAT THEY WERE HAVING AT THE TIME OF THE RENTAL AND THAT SHE COULD CHANGE IT. COUNCIL STATED THAT WE ALWAYS ASK WHAT PEOPLE ARE HAVING. BRIAN STATED THAT THERE WAS NO USE WASTING TIME SINCE COUNCIL HAD MADE THEIR DECISION ON THE MATTER. LISA THANKED COUNCIL FOR THEIR TIME.

TOM PODGORSKI -FROM KEPT COMPANY -419 OHIO STREET ASKED ABOUT GETTING TWO LED SIGNS ON HIS BUILDING, ONE WOULD SHOW THE TIME AND THE TEMPERATURE AND ONE WOULD ADVERTISE THEIR BUSINESS WHICH IS GONG TO BE CALLED "DISTINCTLY U", A KITCHEN AND BATHROOM SHOWCASE. HE HAD A SKETCH OF WHAT HE WANTED TO DO. HE WANTED TO PUT THE SIGNS ON AN ANGLE ON THE BUILDING. HE WANTED TO GET A FEEL FROM COUNCIL IF IT WAS OK BEFORE HE PURSUED THIS. HE WOULD BE WILLING TO ADVERTISE BOROUGH FUNCTIONS. COUNCIL TOLD HIM TO FILE FOR THE SIGN PERMIT WITH A DRAWING. HE SAID THAT HE WOULD LOOK INTO THE SIGNS WITH THE COMPANY. EVERYONE STATED THAT THE BUILDING IS LOOKING GOOD. HE WOULD LIKE TO MOVE THE BUS STOP DOWN FROM THE MIDDLE OF HIS BUILDING TO THE CORNER AND BUILD SOME KIND OF STRUCTURE FOR RESIDENTS TO WAIT IN FOR THE BUS.

DEBBIE BLAKELY- 714 STANTON SAID SHE CALLED DOWN TO THE COUNTY TO SEE WHERE HER VACANT PROPERTY APPLICATION WAS AND WAS TOLD THAT MELISSA WAS NO LONGER THERE. SHE TALKED TO THE COUNTY AND THEY SAID THEY DID NOT HAVE HER PAPERWORK MRS. GRIMPE STATED THAT SHE WAS AWARE OF THAT AND WAS IN TOUCH WITH THE COUNTY AND WOULD MAKE SURE THAT THIS WAS STILL MOVING ALONG. SHE HAD COPIES OF ALL THE PAPER WORK SENT TO THE COUNTY AND WOULD GET BACK TO DEBBIE.

BOROUGH MANAGER WILL READ MONTHLY REPORTS:

REAL ESTATE TAX COLLECTIONS FOR MONTH OF JULY

CURRENT	\$	97,448.00
DELINQUENT	\$	2,290.58
OTHER/TAX LICENSE	\$	4,865.48

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COMMISSION PAID	\$	2,306.77
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WAGE TAX COLLECTIONS FOR MONTH OF JULY

CURRENT	\$	23,378.80
DELINQUENT	\$	6,436.84
COMMISSION COLLECTED	\$	321.84

<u>DISTRICT JUSTICE FEE FOR JULY</u>	\$	3,750.41
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<u>ANIMAL CONTROL FEE FOR JULY</u>	\$	275.00
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A MOTION WAS REQUESTED TO ACCEPT ALL REPORTS AS READ

MOTION: AL ATKINSON
ROLL CALL VOTE 7/0

SECOND: JIM MACHAJEWSKI

COMMITTEE REPORTS

FINANCE (JIM PORTER): MR. PORTER ASKED FOR INFORMATION TO START LOOKING AT THE BUDGET FOR NEXT YEAR.

PUBLIC SAFETY (JIM PORTER): MAYOR WILL GIVE REPORT

HANDICAP COMMITTEE (DON GILLESPIE): NO REPORT

RECREATION COMMITTEE (AL ATKINSON) BREW FEST IS THIS SATURDAY. WE ARE EXPECTING 1200 PEOPLE

PENSION (AL ATKINSON): NO CHANGE

BOROUGH/PUBLIC PROPERTY & PERSONNEL – (DON GILLESPIE): PERSONNEL WAS DISCUSSED IN OUR EXECUTIVE SESSION

PUBLIC WORKS (JIM PORTER) MANAGER HAS THE GUYS IN CREEK TAKING DEBRIS OUT. WE HAVE SOME BIG PROJECTS COMING UP SUCH AS REPAIRS IN THE CREEK AND ON THE BRIDGE.

ABANDONED PROPERTIES (POLLY GRIMPE) WE HELD TWO MEETINGS SINCE THEY BEGAN THEIR INVENTORY. THEY HAVE IDENTIFIED THIRTEEN PROPERTIES IN THE BUSINESS DISTRICT ON GRANT, NORTH AND EVERGREEN. WE ARE GOING TO START WITH THOSE AND MOVE AGGRESSIVELY AND THEN CONTINUE WITH OUR INVENTORY.

OLD BUSINESS: NONE

NEW BUSINESS:

A MOTION IS REQUESTED TO APPROVE THE CONDITIONAL USE IN A COMMERCIAL ZONE FOR AN OPERATION OF A MOTORCYCLE REPAIR SHOP AND SALES OUTLET FOR ITEMS RELATED TO MOTORCYCLE OWNERSHIP AND USAGE, WHICH WILL BE LOCATED AT 200 LINCOLN AVENUE BY DONNA SANFORD WITH THE RESTRICTIONS RECOMMENDED BY OUR SOLICITOR.

THE CONDITIONS WERE AS FOLLOWS:

- 1. GENERAL HOURS OF OPERATION SHALL BE LIMITED TO 10:00 AM TO 8:00 PM ON MONDAYS AND THURSDAYS; 10:00 AM TO 6:00 PM ON TUESDAYS, WEDNESDAYS AND FRIDAYS; 10:00 AM TO 4:00 PM ON SATURDAY. YOUR BUSINESS WILL NOT BE OPEN ON SUNDAYS;**
- 2. THE HOURS FOR ACTUAL REPAIRS OF MOTORCYCLES OR OTHER VEHICLES IS LIMITED TO 10:00 AM TO 6:00 PM MONDAY THRU FRIDAY AND 10:00 AM TO 4:00 PM ON SATURDAYS;**
- 3. YOU MUST UTILIZE OFF-STREET PARKING FOR ALL MOTORCYCLES THAT ARE ON YOUR PREMISES FOR SERVICE;**
- 4. ANY DISPLAY OF A VEHICLE, INCLUDING MOTORCYCLES, FOR SALE, CANNOT TAKE PLACE OUTSIDE OF THE ACTUAL BUILDING OR PREMISES. THERE WILL BE NO OUTSIDE DISPLAY OR SALE OF ANY VEHICLES, INCLUDING MOTORCYCLES;**
- 5. ANY SPECIAL EVENTS OUTSIDE OF YOUR NORMAL BUSINESS OPERATION, INCLUDING BUT NOT LIMITED TO MOTORCYCLE RALLIES OR ANY SUCH ACTIVITY MUST TAKE PLACE INDOORS ON YOUR PREMISES. UNDER NO CIRCUMSTANCES SHALL YOU SCHEDULE SPECIAL EVENTS ON OR ABOUT THE OUTSIDE OF YOUR PREMISES, WITH THE EXCEPTION OF COMMUNITY WIDE EVENTS, SUCH AS MILLVALE DAYS; AND**
- 6. ALL RETAIL SALES AND ACTUAL REPAIRS OF VEHICLES AND**

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MOTORCYCLES MUST TAKE PLACE INSIDE THE BUILDING. THERE WILL BE NO SUCH WORK DONE OUTSIDE OF THE ACTUAL BUILDING ON THE PREMISES.

IT WAS ALSO NOTED, THAT IN ORDER TO OBTAIN AN OCCUPANCY PERMIT THE BUILDING MUST BE BROUGHT UP TO THE STANDARDS OF THE CURRENT BUILDING CODE.

**MOTION: DON GILLESPIE
ROLL CALL VOTE 7/0**

SECOND: JACK VARLEY

ORDINANCES:

AN ORDINANCE OF THE BOROUGH OF MILLVALE ALLEGHENY COUNTY, PENNSYLVANIA, RE-ENACTING AND AMENDING ITS EARNED INCOME TAX AS AMENDED BY ACT 32 OF JULY, 2008 LEVYING A TAX ON EARNED INCOME TAX AND NET PROFITS; REQUIRING TAX RETURNS; REQUIRING EMPLOYERS TO WITHHOLD AND EIT TAX; AND RELATED PROVISIONS.

**MOTION: AL ATKINSON
ROLL CALL VOTE 7/0**

SECOND: JIM MACHAJEWSKI

RESOLUTIONS: NONE

ENGINEER'S REPORT: AUGUST 2011

1. NEIGHBORHOOD STABILIZATION PROGRAM
 - MARYLAND AVE: CONTRACTOR TO COMPLETE ADDITIONAL RESTORATION AND INSTALL FENCE.
2. COMMUNITY INFRASTRUCTURES AND TOURISM FUND ROUND 2
 - APPLICATIONS SUBMITTED
APPLICATIONS TO INCLUDE:
STANTON AVENUE ROADWAY RECONSTRUCTION
NORTH AVENUE ROADWAY RECONSTRUCTION
3. CD YEAR 37
 - DEMOLITIONS: 100 LIPPERT, 108 MARYLAND AND 243 SIEGEL BID DOCUMENTS TO NHCOCG 8/4/11 BID DATE 9/13/11
BID DOCUMENTS
4. CD YEAR 38
 - FULL-APPLICATIONS SUBMITTED
PROJECTS INCLUDE: DEMOLITIONS, PARK LIGHTING, LINCOLN AT NORTH ACCESS RAMPS, CONCRETE STAGE AT GAPP PARK TO BE RESUBMITTED
DEMOLITIONS REQUIRE LEGAL CLEARANCE
5. NBIS BRIDGE INSPECTIONS
 - SOLICITATION COMPLETE
 - TECHNICAL AND PRICE PROPOSAL REQUIRED
 - AWAITING COMMENTS FROM DEPT. OF TRANSPORTATION
6. TRAIL PARKING PROPOSAL
 - SENATE PROVIDED ELECTRONIC EXHIBIT FOR SUBMITTAL TO RAILROAD
7. FREEMONT BRIDGE
 - RECOMMEND REQUEST FOR EMERGENCY FUNDING TO REPLACE DECK

SOLICITOR'S REPORT: GAVE HIS REPORT DURING EXECUTIVE SESSION AND READ THE CONDITIONS FOR THE CONDITIONAL USE.

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SINCE EVERY MEMBER OF COUNCIL HAS HAD AN OPPORTUNITY TO REVIEW THE TOTAL INVOICES FOR THE MONTH OF JULY IN THE AMOUNT OF \$218,172.72 AND THE CURRENT INVOICES UP TO TODAY'S DATE IN THE AMOUNT OF \$123,879.13 A MOTION WAS REQUESTED TO PAY ALL INVOICES WHEN FUNDS ARE AVAILABLE.

MOTION: ED WIRKOWSKI
ROLL CALL VOTE 7/0

SECOND: DON GILLESPIE

MAYOR'S REPORT- THE POLICE DEPARTMENT- RESPONDED TO 535 CALLS OR DETAILS FOR THE MONTH OF JULY, 95 TRAFFIC OR NON TRAFFIC CITATIONS AND 16 ARRESTS FOR FELONIES OR MISDEMEANORS. THE MAYOR WOULD LIKE TO BRING ALL OF NEW OFFICERS TO MEET COUNCIL AT OUR SEPTEMBER MEETING.

FIRE DEPT REPORT- JIM MACHAJEWSKI –THE FIRE DEPT HAD 27 CALLS IN JULY. THEY HAD 10 STRUCTURE FIRES 1 SHARPSBURG, 2 ETNA, 1 RESERVE, 1 SHALER, 2 MILLVALE, 1 ASPINWALL, 2 ROSS, 7 VEHICLE CRASH, 2 CONTAINMENT, 2 FIRE ALARM, 2 GAS CONDITION, 2 PUBLIC SERVICE AND 2 WIRES DOWN.

A MOTION FOR ADJOURNMENT WAS REQUESTED:

MOTION: DON GILLESPIE
VOICE VOTE 7/0

SECOND: ED WIRKOWSKI

TIME: 8:46

RESPECTFULLY SUBMITTED

VIRGINIA N. PUCCI, BOROUGH MANAGER