

**BOROUGH OF MILLVALE
COUNCIL MEETING MINUTES
JULY 13, 2010
PAGE 1 OF 5
PRE-MEETING 6:30 & REGULAR MEETING 8:00 PM**

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

ABSENT:

1. JACK VARLEY ASKED IF WE COULD AFFORD TO GIVE A DONATION TO THE LIBRARY. POLLY GRIMPE STATED THAT THEY WERE REALLY LOOKING FOR LETTERS OF SUPPORT TO THE ORGANIZATIONS THAT THEY WERE WRITING FOR GRANTS. IT WAS AGREED 7/0 TO WRITE A LETTER OF SUPPORT AT THIS TIME AND LOOK AT FUNDING AT A LATER TIME.
2. THE BOROUGH MANAGER STATED THAT THE SKIDSTER CAME IN THIS WEEK WAS FINANCED THRU REAL LEASE AND THE CONFINED SPACE EQUIPMENT WILL BE IN SHORTLY. WILL BE SUBMITTING FOR \$33,000 FROM DEP FOR REIMBURSEMENT. MR. PORTER STATED THAT HE GAVE THE BOROUGH AN OLDER HARNESS.
3. MANAGER STATED THAT THE COUNTY TOLD US TO SUBMIT FULL APPLICATIONS FOR THE FOLLOWING CDBG APPLICATIONS DEMOLITIONS, A PAVILION AT THE GAPP PARK AND REPAIR OF THE STREET AT NORTH AND LINCOLN AND NORTH AND GRANT WITH NEW ADA RAMPS.
4. DICK HADLEY FROM RESERVE TOWNSHIP ASKED IF WE WOULD BE INTERESTED IN GOING IN HALF FOR A USED WOOD CHIPPER. HE FOUND ONE IN GOOD CONDITION. IT WAS AGREED TO PURCHASE IT AS LONG AS WE WORK OUT AN AGREEMENT FOR REPAIRS, MAINTENANCE AND USAGE. 7/0
5. DON GILLESPIE AND THE MANAGER TALKED ABOUT THE JUNK MEN COMING INTO TOWN AND TEARING PEOPLE'S GARBAGE APART, TAKING THINGS OFF OF PEOPLE'S PORCHES THAT ISN'T GARBAGE AND MAKING A MESS. IT WAS STATED THAT THEY COULD BE CITED FOR LITTERING AND TO SEE IF THE POLICE AND ROAD CREW COULD TALK TO THEM WHEN THEY SEE THEM. THEY PUT UP SIGNS ALL OVER TOWN AND IT WAS AGREED THAT WE SHOULD TAKE THEM DOWN.
6. THERE WAS A DISCUSSION ABOUT CATS RUNNING LOOSE AND DANGEROUS DOGS WALKING THRU TOWN. THE SOLICITOR WAS GOING TO TALK TO OTHER MUNICIPALITIES AND SEE WHAT THEY HAVE DONE. WE HAVE TRAPS HERE AT THE BOROUGH FOR WILD CATS AND THEY ARE GIVEN OUT FOR ANIMAL CONTROL.
7. WE HAVE TO PASS AN ORDINANCE TO CHANGE THE PARKING TICKET AND WE WILL HAVE TO DO AN ORDINANCE NEXT MONTH. MAYOR CINSKI ASKED IF COUNCIL WANTED TO REVISIT THIS ISSUE AND MAYBE CHANGE TO TWO HOUR PARKING, ELIMINATE METERS. THE BOROUGH MANAGER STATED THAT ETNA AND SHARPSBURG TICKETS START AT \$5.00. AFTER THE DISCUSSION IT WAS AGREED 7/0 TO GO THRU WITH THE INCREASE AND ORDER NEW TICKETS. 7/0
8. ELEMENT CHURCH ASKED IF THEY COULD USE OUR GAPP PARK ON JULY 15TH FOR A PERFORMANCE, THEY WOULD ALSO PERFORM AT THE BOYS AND GIRLS CLUB ON FRIDAY AND GIVE FREE FOOD AWAY ON SATURDAY. THEY ALSO ASKED IF THEY COULD USE THE GAPP PARK ON AUGUST 10TH, 11TH, 12TH AND 13TH FROM 5 TO 8 PM. THEY HAD THE SAME THING LAST YEAR AT THE BUTLER STREET LOTS. 7/0 AS LONG AS THEY CLEAN UP WHEN IT IS OVER.
9. THE BOROUGH MANAGER BROUGHT UP A NEW PROGRAM FROM THE COUNTY TO HELP WITH PURCHASING DRUGS THAT MAY NOT BE COVERED UNDER YOUR PLAN. WE HAVE COPIES HERE AT THE OFFICE AND WE WILL BE PUTTING IT ON OUR WEBSITE.
10. JIM PORTER MENTIONED THAT ROSE JESTAUDT WENT TO AN ALCOSAN MEETING AND THEY ARE STILL SAYING THEY ARE GOING TO TAKE OUR RIVERFRONT PARK PARKING LOT ADVISED THE MARINE TO SELL. THE SOLICITOR WAS GOING TO CHECK ON SOME THINGS FOR US.

**BOROUGH OF MILLVALE
COUNCIL MEETING MINUTES**

JULY 13, 2010

PAGE 2 OF 5

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

EXECUTIVE SESSION 7:50 TO 8:00 BOROUGH PERSONNEL

THE JULY 13, 2010 REGULARLY SCHEDULED MEETING OF THE BOROUGH OF MILLVALE COUNCIL WAS CALLED TO ORDER AT THE BOROUGH COUNCIL CHAMBERS AT 8:00 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, ED WIRKOWSKI, POLLY GRIMPE, JIM MACHAJEWSKI,

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

ABSENT: NONE

SINCE EVERY MEMBER OF COUNCIL AND ALL BOROUGH OFFICIALS HAD AN OPPORTUNITY TO READ THE MINUTES OF THE JUNE 8, 2010 A MOTION WAS REQUESTED TO ACCEPT THOSE MINUTES WITHOUT CORRECTIONS, DELETIONS, ADDITIONS OR OBJECTIONS.

MOTION: DON GILLESPIE

SECOND: JIM MACHAJEWSKI

ROLL CALL VOTE: 6 YES-1 ABSTAIN ED WIRKOWSKI ABSENT FROM MEETING

PUBLIC COMMENTS:

DARYL FESTA, 634 NORTH AVENUE WAS AT THE MEETING TO DISCUSS WHY HIS TENANT COULD NOT HAVE AN AUTO REPAIR SHOP IN HIS BUILDING ON NORTH AVENUE. HE STATED THAT HE RAN A BUSINESS OUT OF THERE FOR 10 YEARS HE WAS FLOODED TWICE AND PUT A LOT OF MONEY INTO HIS BUILDING. AFTER BEING VACANT FOR A YEAR HE FINALLY RENTED OUT AND THE BUSINESS LEFT DUE TO THE ECONOMY. NOW HE HAS RENTED THE BUILDING OUT FOR 25% LESS RENT AND THE BOROUGH IS HARASSING HIS TENANT TOLD HIM HE CAN'T OPERATE HIS BUSINESS OUT OF THERE AND HAS FINED ME \$376.00 ASKING ME TO TELL HIM TO LEAVE. WANDERING WHAT THE MOTIVATION WOULD BE FOR A BOROUGH WHERE IT IS AN UNDESIRABLE AREA WHERE FLOODING OCCURRED AND 40% OF THEIR BUSINESSES HAVE LEFT. WHEN HE HAS SOMEONE WHO PAYS HIS RENT, CLEANS THE SIDEWALK, KEEPS THE BUILDING CLEAN BRINGING IN TAX MONEY AND COMMERCE TO THE AREA. AND HAS A MECHANIC EMPLOYED WHO IS A BOROUGH RESIDENT. I HAVE BEEN FINED AND I AM WANDERING WHAT THE MOTIVATION IS. THE BOROUGH MANAGER STATED THAT WHEN HE CAME TO THE BOROUGH FOR A DETAILING SHOP YOUR PROPERTY WAS ZONED TRANSITIONAL WHICH IS NOT THE PROPER ZONING FOR A CAR REPAIR SHOP. THE BOROUGH GRANTED HIM A CONDITIONAL USE BASED ON THE FACT THAT HE WOULD ONLY BE CLEANING AND WASHING A VEHICLES ONE OR TWO CARS AT A TIME AT MOST. YOUR TENANT HAS STARTED TO DO OIL CHANGES, INSPECTIONS AND OTHER CAR REPAIRS THERE. WHEN YOU ORIGINALLY CAME TO US YOU AGREED THAT THIS WOULD NOT HAPPEN THAT IS WHY THE BOROUGH AGREED TO THE DETAIL SHOP NOT A CAR REPAIR BUSINESS. MR. FESTA STATED THAT HE FELT THIS WAS A RACIAL ISSUE AND HAS HAD NEIGHBORS TALK TO HIM ABOUT HIS TENANT. PRESIDENT OF COUNCIL STATED THAT HIS PERSONAL OPINION IS THAT HE CAME TO COUNCIL AND WE CHANGED OUR ORDINANCE WHEN HE ASKED US BUT HE DIDN'T COME TO US WHEN THIS GENTLEMEN CHANGED THE BUSINESS WITHOUT GETTING APPROVAL. WE HAVE HAD SEVERAL COMPLAINTS ON YOUR TENANT FROM STANDING ON THE STREET AND WAVING A SIGN OBSTRUCTING TRAFFIC. HE HAS TOLD OUR POLICE TO GET OFF OF THE PROPERTY. IN CONCLUSION MR. FESTA FELT THAT THE BOROUGH SHOULD ACCEPT ANY BUSINESS THAT WANTS TO COME IN THE BOROUGH AND NOT HAVE ANY RESTRICTIONS. OUR SOLICITOR HAS A BUILDING IN ROSS TOWNSHIP AND IT HAS BEEN EMPTY FOR TWO YEARS. HE WOULD HAVE TO ASK ROSS IF HE WANTS TO CHANGE THE ZONING. IF ANYONE WANTS TO CHANGE THE ZONE THEY NEED TO COME TO THE BOROUGH AND REQUEST A ZONING CHANGE.

**BOROUGH OF MILLVALE
COUNCIL MEETING MINUTES**

JULY 13, 2010

PAGE 3 OF 5

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

BOROUGH MANAGER READ THE MONTHLY REPORTS:

REAL ESTATE TAX COLLECTIONS FOR MONTH OF JUNE

CURRENT	\$	1257,000.83
DELINQUENT	\$	7,621.81
OTHER/TAX LICENSE	\$	6,960.39
COMMISSION PAID	\$	5,869.11

WAGE TAX COLLECTIONS FOR MONTH OF JUNE

CURRENT	\$	3,760.33
DELINQUENT	\$	10,212.57
COMMISSION COLLECTED	\$	510.63

<u>DISTRICT JUSTICE FEE FOR JUNE</u>	\$	4,095.21
---------------------------------------------	----	----------

<u>ANIMAL CONTROL FEE FOR JUNE</u>	\$	315.00
-------------------------------------------	----	--------

A MOTION WAS REQUESTED TO ACCEPT ALL REPORTS AS READ

MOTION: EDWARD WIRKOWSKI
ROLL CALL VOTE 7/0

SECOND: POLLY GRIMPE

COMMITTEE REPORTS

FINANCE (JIM PORTER): NONE

PUBLIC SAFETY (JIM PORTER): MAYOR WILL GIVE REPORT

HANDICAP COMMITTEE (DON GILLESPIE): ONE REQUEST PENDING

RECREATION COMMITTEE (AL ATKINSON) NO REPORT

PENSION (AL ATKINSON): NO CHANGE

BOROUGH/PUBLIC PROPERTY & PERSONNEL – (DON GILLESPIE): NO REPORT

PUBLIC WORKS (JIM PORTER) ROADCREW HAVE BEEN DOING VARIOUS JOBS

OLD BUSINESS: NONE

NEW BUSINESS:

A MOTION IS REQUESTED TO ACCEPT JOSEPH SHERER ELECTRICAL CONTRACTORS AS THE LOW BIDDER IN THE AMOUNT OF \$54,620.00 FOR THE EMERGENCY GENERATOR FOR THE COMMUNITY CENTER..

MOTION: AL ATKINSON
ROLL CALL VOTE 7/0

SECOND: JIM MACHAJEWSKI

A MOTION IS REQUESTED TO ACCEPT WILLIAMS RETAINING WALL AS THE LOWEST RESPONSIBLE BIDDER FOR THE EMERGENCY WALL REPAIR IN THE AMOUNT OF \$104,789.23

MOTION: DON GILLESPIE
ROLL CALL VOTE 7/0

SECOND: JACK VARLEY

A MOTION IS REQUESTED TO AWARD TO THE LOWEST RESPONSIBLE BIDDER UPON RECEIPT OF DOCUMENTS ON AUGUST 4TH REVIEW, AND VERIFICATION OF CONFORMANCE WILL ALL RECOMMENDATION TO AWARD BY SENATE ENGINEERING COMPANY FOR THE NSP DEMOLITION PROJECT.

MOTION: AL ATKINSON
ROLL CALL VOTE 7/0

SECOND: POLLY GRIMPE

ORDINANCES: NONE

RESOLUTIONS:

A RESOLUTION OF THE BOROUGH OF MILLVALE, COUNTY OF ALLEGHENY, THE

**BOROUGH OF MILLVALE
COUNCIL MEETING MINUTES**

JULY 13, 2010

PAGE 4 OF 5

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

**COMMONWEALTH OF PENNSYLVANIA IN OPPOSITION TO FORCED MERGERS
AND CONSOLIDATION OF LOCAL GOVERNMENTS IN PENNSYLVANIA.**

MOTION: DON GILLESPIE
ROLL CALL VOTE 7/0

SECOND: ED WIRKOWSKI

ENGINEER'S REPORT: JULY 2010

1. RIVERFRONT PROJECT
RIVERFRONT TRAIL PHASE II, BACK CHANNEL BRIDGE.
 - FINAL DECISION ON DCNR GRANT RESOLUTION
PENDING
2. HOMETOWN STREETS AND SAFE ROUTES TO SCHOOLS
 - TROUBLE SHOOTING LIGHTS CONTINUES
3. NEIGHBORHOOD STABILIZATION PROGRAM
 - 10 DEMOLITIONS APPROVED. ASBESTOS ASSESSMENT
COMPLETE/W AUTHORIZATION TO BID 8/4/10,
RECOMMENDATION TO AWARD LETTER CONTINGENT
UPON ENGINEER APPROVAL ATTACHED.
4. COMMUNITY INFRASTRUCTURES AND TOURISM FUND
 - GIRTY'S RUN CHANNEL WALL IMPROVEMENT PROJECT
SUBMITTED
5. CD YEAR 36
 - COMMUNITY CENTER EMERGENCY GENERATOR
REBID
 - JOSEPH SCHERER ELECTRIC, LOW BIDDER \$54,620.00,
RECOMMENDATION LETTER TO AWARD (ATTACHED)
 - EMERGENCY WALL REPAIR
WILLIAMS RETAINING WALL, LOW BIDDER \$104,789.23,
RECOMMENDATION LETTER TO AWARD (ATTACHED)
 - MILLVALE BALL FIELD, PARKING LOT SURFACING
A. FOLINO CONSTRUCTION. NOTICE TO PROCEED
JULY 26, 2010
6. CD YEAR 37
 - PRE-APPLICATIONS SUBMITTED, PROJECTS INCLUDE:
DEMOLITIONS/ STAGE AT GAPP PARK/ GRANT &
LINCOLN AT NORTH INTERSECTION IMPROVEMENTS.
AUTHORIZED TO SUBMIT FULL APPLICATIONS ALL
PROJECTS

SOLICITOR'S REPORT: GAVE HIS REPORT DURING EXECUTIVE SESSION

SINCE EVERY MEMBER OF COUNCIL HAS HAD AN OPPORTUNITY TO REVIEW THE TOTAL CHECKS FOR THE MONTH OF MAY IN THE AMOUNT OF \$204,295.62 AND THE CURRENT INVOICES UP TO TODAY'S DATE IN THE AMOUNT OF \$71,797.37 A MOTION WAS REQUESTED TO PAY ALL INVOICES WHEN FUNDS ARE AVAILABLE.

MOTION: AL ATKINSON
ROLL CALL VOTE 6/0

SECOND: JIM MACHAJEWSKI

MAYOR'S REPORT- MAYOR VINCENT CINSKI READ THE POLICE REPORT FOR THE MONTH OF JUNE. POLICE ANSWERED 510 CALLS; 46 TRAFFIC OR NON-TRAFFIC CITATIONS, 24 ARRESTS FOR FELONY OR MISDEMEANOR. THESE WERE JUST SOME OF THE CALLS.. THE POLICE ARE GOING TO BE ENFORCING CURFEW AND DOG ORDINANCES.

FIRE DEPT REPORT- JIM MACHAJEWSKI GAVE THE FIRE REPORT. THERE WERE 24 CALLS THIS MONTH 16 STRUCTURE- 3 MILLVALE, 1 ASPINWALL, 5

**BOROUGH OF MILLVALE
COUNCIL MEETING MINUTES**

JULY 13, 2010

PAGE 5 OF 5

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

SHARPSBURG, 4 ROSS, RESERVE 2, 1 SHALER, 4 CONTAINMENT, 2 FIRE ALARM, 1
GAS CONDITION, 1 PHYSICAL RESCUE.

A MOTION FOR ADJOURNMENT WAS REQUESTED:

MOTION: DON GILLESPIE
VOICE VOTE 7/0

SECOND: POLLY GRIMPE

TIME: 8:25

RESPECTFULLY SUBMITTED

VIRGINIA N. PUCCI, BOROUGH MANAGER