

**Borough of Munhall
Regular Council Meeting
Minutes of Council
February 20, 2013**

The Regular Meeting of the Munhall Borough Council was held on February 20, 2013 in Council Chambers, Munhall Borough Building, 1900 West Street, Munhall, PA 15120. The meeting was convened at 7:00 PM, with Council Vice President Rob Falce presiding.

The Pledge of Allegiance was led under the direction of David Cannon.

The roll was called and the following members were present:

Robert Falce, Vice President [Acting President for this meeting.]

Richard Votedian, President Pro-tem

Harvey Inglis, Councilman

Dan Lloyd, Councilman

Bernie Shields, Councilman

Absent:

Joe Ballas, President

Dana Ditillo, Councilwoman

Also in attendance at the meeting were:

Raymond Bodnar, Mayor

Matt Galla, Borough Manager

Larry Billy, Public Works

Pat Campbell, Chief of Police

Matt Pisarcik, Fire Chief

Nick Evashavik, Solicitor

Lindsey Jewart, Engineer

Caucus:

Larry Billy stated we need to remind the groups using the parks that they need to look into getting the grease traps installed.

Mr. Lloyd started a discussion about the transition from our own Dispatch to County 911 service. He stated that he called 911 about an incident at 401 E 8th Avenue in Homestead and the County 911 service argued with him about where it was located, since he was calling from Munhall. Mr. Lloyd kept pointing out to them that the incident was located in Homestead. He noted it is unfortunate that 911 is broken. "I know our dispatchers are better," said Mr. Lloyd. "We discussed this at our December budget

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meeting and I think our employees deserve to know," he said. Mr. Shields concurred and said we need to move toward 911. Mr. Lloyd asked the Police Chief if we have all the necessary equipment to transition to the 911 systems. The Chief said we will have to replace some satellite dishes regardless of what system we are on and the cost will be approximately \$12,000.00. Mr. Shields said it is practical to move to 911 since the ambulance service and our neighbors are already on 911, so now is the time to do it. Mr. Votedian noted that we had 3 fire calls over the last few days. He noted that the ambulance should have been dispatched automatically. However, he noted that the ambulances were not dispatched until 10 and 12 minutes later. "Isn't the problem that we have 2 911 systems," asked Mr. Shields. The Police Chief said the problem is that the County has a delay in their system.

Mr. Shields stated, "You all said you were going to do this but when push comes to shove, and employees start getting involved, you all start backing away." Mr. Falce said he was not backing out, but that it needed to be discussed. "I knew you would back out," said Mr. Shields to Mr. Falce. Mr. Falce then said, "I am taking your name off my petition. I don't want your name on my petition, and I never recall saying that, Bernie." The Mayor interjected that he did not recall saying we were going to make this move. "Thank you," said Mr. Falce.

"I am not in favor of doing anything right away," said the Mayor. "We wanted to talk, meet in June and form a committee. I will be glad to serve on that committee. As far as employees, what employees? You want to tell me? None have said a word to me about it. You have two unions here and that is another ballgame. I want to address West Mifflin Borough about them and their dispatching. I want a group to sit down and find out what this will entail. I don't think it's going to save us as much money as I have been led to believe," said the Mayor. He then asked, "Are you going to shut this building down at night?"

Mr. Shields noted that personnel could be moved into other positions. "We may be able to move Devon into another role, and Larry is short handed. We could put some folks in Public Works," he said. Mr. Lloyd noted we already had this discussion. Mr. Shields noted our intention is not for people to lose jobs. He said the dispatchers knew it was not going to be a long ride when they were hired. The Mayor asked who would let the people into the building at night. It was suggested that perhaps the daytime janitor could be switched to a 3 PM to 11 PM shift.

"How come everyone else can do this for years and we can't," asked Mr. Shields. "There was grant money before and we missed the boat. Now it's gone," he said. "Are we going to do it this year, Mr. Falce," asked Mr. Shields. Mr. Falce replied, "I never said that." "You are pathetic," said Mr. Shields to Mr. Falce. Mr. Falce replied, "I think you are pathetic." "You are such a disappointment," said Mr. Shields, "You are so god-damned pathetic. You should be ashamed of yourself!" Mr. Falce then replied, "You are going too far now."

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The Mayor then said I want a committee to sit down and see if it will work. Mr. Falce said, "My recommendation is still the same. We need to set up a committee and start working on it. Start it now, set up the meetings." It was decided that Mr. Shields would chair the committee that would consist of Mr. Shields, Mr. Votedian, Mr. Inglis and the Mayor, Police Chief and Fire Chief. Mr. Lloyd said, "Maybe you should wait until the day after the election." Mr. Shields noted he would call the meetings and would handle all of the arrangements. Mr. Lloyd agreed that this was an important committee and meetings to have take place. Mr. Votedian pointed out that he and the Fire Chief had made plans to visit the 911 center on March 6, 2013.

Mr. Lloyd left the caucus at 6:25 PM.

Mr. Shields said in the long term, to keep our own system up and running will require many expensive updates. "I don't think we are in a position to do that," he said. The Police Chief said if we go on the 911 system, we would be the 10th or 11th department on the channel. "It will be a lot more chatter than we are used to," he said. Swissvale would be on our channel. Mr. Shields noted that he and Mr. Tichon visited the 911 center many years ago and there was equipment available, laptops and other innovate items but that now, all of that money and equipment is gone. The Chief said he was not sure if it ever was really available. Mr. Shields noted that it was available and that he had been shown Homestead's new radios by Bill Purifoy. The Chief noted that the County wants 5 – 7 channels for the entire County and said, "I think it is dangerous, officer wise."

Mr. Shields noted that our system is not perfect either and said, "It's not 1950 anymore. The more money we save, the more we can do other things in the Borough." Matt Pisarcik noted that the meeting that was to take place at the County 911 center on March 6th was being moved to the last Wednesday in March.

Mr. Shields noted that Mr. Lloyd's mother was very ill and that Mr. Lloyd's family has had to meet with hospice. That is why Mr. Lloyd had to leave the meeting.

It was decided that the Borough Manager would have the authority to hire the new Administrative Assistant for the office. We will keep them on probation for a term of at least six months. If after that time, they work out well, we can look to make them a permanent employee.

The Engineer spoke about paving and said like last year, they wanted to get a head start on the program. They will use the graded street list that they used from last year. They are only looking at streets graded fair or worse. They will sync up again with the sewer authority to try and determine what streets they plan to work on. Mr. Billy noted that several streets this year would be paved, at no cost to the Borough, as a result of the curb-to-curb ordinance.

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Ms. Peggy Vakerak, a Munhall resident, asked about Homestead-Duquesne Road. Council noted that the road belongs to the County and that if the condition continues to deteriorate, we may have to declare a state of emergency and close the road entirely until the County makes necessary repairs.

Preliminary Announcements:

Acting President Falce stated that Mr. Ballas was still recovering from double knee surgery and we wish him well. Mr. Ballas (who was listening to the Council Meeting via telephone) said, "Thanks."

Speakers:

Ronald Lapko stated that he wanted to address Council about a problem that not only affects him, but other people. He said that Mr. Lloyd put an article in the Valley Mirror and that a month later, he started a petition but the problem was addressed. He said Mr. Galla was kind enough to distribute pictures to all of you. In all of the pictures, Mr. Lapko noted that of all the vehicles parked on his street, only 2 belonged to residents. Mr. Shields asked if he thought people might be parking there and then catching to bus to work. Mr. Lapko agreed that it is possible. He noted that his street is virtually deserted on Saturday and Sunday but come Monday through Friday, there is almost no parking. He wanted to know if Council could post signs that designate the street as parking for residents only. He then went on to state that he has a problem with the no parking signs that were installed for Aldrich Funeral Home. He said his vehicle has been towed twice as a result of those signs. Nick Evashavik said the signs couldn't be installed on Borough poles with an ordinance.

Mr. Lloyd rejoined the meeting at 7:14 PM.

Mr. Falce said, "We can definitely see you have a problem." Mr. Shields asked if it was better back when they had meters. Mr. Lapko thought it was and noted that they got parking permits. The Chief said that practice has been stopped. He said it was discussed on the Council floor and the Police were told to stop issuing parking permits. The Mayor concurred. Mr. Lloyd said the problem is enforcement. Mr. Lloyd noted that there is not one car on the Homestead side between 7th Avenue and 9th Avenue on McClure but on the Munhall side, it is loaded. He said the Police need to start tagging cars at least once per week. He said, "It's not rocket science. All of those folks who work in Homestead are parking on the Munhall side."

Bill Miller said the lot next door affected him where illegal dumping was occurring. He said he had to pay someone to dig out his back door. He noted that he operates Steel City Tattoo and that he is also being affected by the parking situation. He said everyone is parking on the Munhall side that makes it difficult for his customers to find parking. He also noted that the building with the collapsed has a sign out front that is tipped over and is a generally unsafe situation. "I'm just curious with what is being done with this

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property,” he said. Mr. Cannon noted that the next hearing is on April 30th at Jude Gallo’s courtroom. He noted that the building owner was here to see him last week and said that he plans to put a new roof on the building. Mr. Cannon also noted that he is being fined \$1,000 per day, per Judge Torkowsky’s order.

Donna Boyer who owns Home Cooked by Donna on East 8th Avenue said that she too would like to register a complaint about parking. She said that people park on the Munhall side and then go to work and suck up all of the parking. She said Munhall does not enforce parking and it sucks up all of the available parking for her customers. “It’s all sucked up by people going to work,” she said. “I can agree with residential parking but on the commercial strip, on 8th Avenue, that should be for customers. Even people who work nearby suck up all the parking. Lifespan sits there all day. I do gotta give Munhall credit because they enforced it for a minute, but then it ended. I think the meters should be enforced and no permits given out for the commercial strip,” she stated. Mr. Votedian noted that Homestead has a meter maid, but Munhall does not. Mr. Shields said people can park in the paid parking lot across the street in Homestead but they park in Munhall because it is free. Ms. Boyer noted that when she called up to the Police Station to ask why the parking meters were not being enforced she said the officer acted very agitated.

Peggy Vakerak said, “We talked about the empty lot with dirt on it, do we know who owns it? Is this a property that can be turned into a parking lot? Can we be proactive rather than reactive?” Mr. Lloyd said he happens to own the lot where the dumping is happening. He said the problem with trying to make that a parking lot is that the State, who owns Route 837 / 8th Avenue, will not give you a curb cut. He noted that they had the individual cited who was doing the illegal dumping.

Shelivia Murchison who owns the store New York Candy Lady on E 8th Avenue said, “It has been a real long day for me.” She said she brought a real nice business to Munhall Borough. She asked if Council could help her with the building down the street with the collapsed roof. She said she was assured by our Code Enforcement Department that the owner was being fined. She said she trusted Munhall to take care of this but she continues to lose business. She noted that almost a quarter of her block does not have parking. She said the barricades in front of the collapsed building are knocked over. She said she has a penny candy store and that no parent in their right mind would walk their kids on that side of the street. She said she watched 85% of her business cross the street because they are too afraid to walk on her side of the street. She noted that people are urinating in the garage near her building. She also noted that she has no water in her building. She said that she and her employees have to go down the street to Wendy’s or Home Cooked by Donna’s to use the bathroom or wash their hands. “Pickering won’t give me water,” she said, continuing, “He said give me my money or you are out.” She noted she had a court hearing with him today. She said her business is right across the street from the high rise and that the residents encourage her and tell her to keep up the good work. She said she wanted to start carrying eggs, milk and bread in her store.

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She also noted that she put in video games in her store and a Munhall Detective came in and told her that there is an ordinance that requires her to obtain Amusement Tax Stickers for the devices. "Three months after he came in, he said, 'Pay us \$2,000 for the machines,' and now the Borough is suing me for \$55,000," she said. She questioned why the Borough couldn't get the individual who owns the collapsed building to pay, but we are suing her. "You are going to take \$55,000 from me and you aren't going to do a thing with this guy? I sunk over \$20,000 in this business. I gave you good product and this is what I walk away with," she asked. The Police Chief noted that the Amusement Tax documents were dropped off at her business in November of last year and were due to be paid in January. Each day the machines operate with the sticker is a violation of \$300 per day. "We have to follow the Ordinance," the Chief stated. Ms. Murchison noted that she couldn't get her health department license because she does not have running water.

Mr. Votedian said he agreed with Ms. Murchison about the building. "Something should have been done some time ago," he said. Ms. Murchison said the fine would break her and she said, "If you are giving him an extension [the building owner with the collapsed roof] give me one too." Mr. Falce said there is nothing we could do at this point since the citation had already been issued. She then asked about the plywood surrounding the building and why it was erected. It was explained by the Engineer that it was necessary, as a safety precaution should the upper level of the building collapse to stop any fragments. Mr. Shields noted, "We keep people safer by putting them out in the street to walk." She said, "This has destroyed my business. I appreciate you listening to me."

Richard and Lois Pickering also inquired about the status of the collapsed building. They own the business, The Outer Skin and own 412, 416 and 418 E 8th Avenue. They asked the Code Enforcement Department why it hasn't been enforced from a hazard standpoint. He noted that the collapsed building has explosives in the building such as gasoline and oil. He said it seemed that the Fire Department could have put pressure on this issue. The Code Enforcement Officer reiterated the daily fine and that an upcoming hearing was scheduled in front of Judge Gallo. They did note that each time it rains, they get water in their building as a result of damage sustained when the roof collapsed next door. The Pickerings noted that there is now mold destroying their product. They have also lost the use of the changing room they used to provide to their customers. They gave other examples of damage, such as a mirror falling off of the wall due to the moisture. Mr. Falce said they needed to file a civil suit. Mr. Pickering stated that on the orders of Munhall Code Enforcement and the Fire Chief, they are not permitted in the damaged portion of the building. They noted that their business income was down 50% because they have lost 1/3 of their store. Mr. Votedian asked if this happened after the collapse. They replied that it did. They also noted that the lack of parking is affecting their business. He said he noted many of the spots that should have been reserved for customers occupied by folks going to work. Mr. Falce said, "I have to give Homestead credit. They are efficient and they don't mess around."

Mr. Lloyd said, "What we do here matters. If tonight doesn't tell you that we have not done the right thing to be conducive to business, nothing will. When we grant occupancy and then they put in

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something other than what they said it would be, it matters. A bookstore three doors down from my office is not a bookstore at all, but it is an Alcoholics Anonymous meeting location. Thirty people come down and park in front of my office and Home Cooked by Donna while they have their AA meeting and she has no lunch crowd." Donna Dreshman, a Munhall resident said, "But Dan, you can't discriminate." Mr. Lloyd replied, "Donna, if you just came to argue, why don't you go down there and see if there is a book in there! You can't call it a bookstore if it is not a bookstore!"

The Mayor said, "All of this BS parking with meters is such BS. No special parking for no one. I don't know why we have to make things so complicated. We are going to need meters on Main Street again. Put the damn meters in; pay your money or go. That would relieve the Homestead issue. It would also fix the problem with people parking their car for 8 hours a day." Mr. Shields said, "The bottom line is enforcement. Meters are a thing of the past. Kiosks are the way to go but the bottom line is, enforcement."

Petitions / Public Comments on Agenda Items:

Donna Dreshman asked if the Administrative Assistant position would be part time. She was answered yes. She also asked about the exoneration for the tax collector and how it compared to previous years. It was noted that this year's exoneration was less than last year.

Approval of Minutes:

Mr. Shields moved, seconded by Mr. Votedian to move the minutes with the correction noting that Mr. Falce presided over the meeting, as they had inadvertently stated Mr. Ballas. Motion carried unanimously.

Reports from Borough Officials:

Mayor: Stated he would defer until next month. "This meeting has gone on long enough," he said.

Solicitor: "I echo the Mayor's comments," and the Solicitor had nothing further to report. Mr. Lloyd asked what our options were with regard to the building with the collapsed roof. The Solicitor noted that the affected parties need to file a civil suit. It is not a municipal issue. The Borough enforced the codes and it is now under appeal with Judge Gallo. You cannot issue further citations while it is under appeal. At a later point, we can condemn the building, but the Borough has done everything they can legally do at this point.

Engineer: Submitted a written report. Had previously discussed paving during the caucus.

Director of Public Works: Nothing to report.

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Police Chief: The Chief submitted a written report.

Fire Chief: Submitted a written report and noted there were 21 calls. He also stated the downspout was fixed at #4 Fire Hall. He asked if it was OK for the Boy Scouts to attend the March meeting in order to obtain their merit badge. Mr. Falce said we would be glad to have them.

Code Enforcement Officer: Submitted a written report.

Sewer Authority: Absent.

Items for Consideration:

Mr. Lloyd moved, seconded by Mr. Inglis to ratify the payment of bills for the period from January 5, 2013 through February 8, 2013 in the amount of \$434,137.75 and approve the payroll in the amount of \$265,799.80 the same period per the following breakdown:

Administration/Council/Mayor/Bldgs	\$ 12,735.63
Police/Code/Dispatch/Sch Grds	\$153,075.39
Sanitation	\$ 12,105.17
Public Works	\$ 68,994.91
Social Security/Medicare	\$ 18,888.70

Motion carried unanimously.

Mr. Inglis moved, seconded by Mr. Votedian to waive the occupancy inspection fee for Ascension School of the Community located at 420 E 10th Avenue in Munhall on the recommendation of the Code Enforcement Officer. Mr. Shields asked if we did this for all of the other schools. Mr. Cannon said that we did. Motion carried unanimously.

Mr. Shields moved, seconded by Mr. Votedian ratify the actions of the Borough Manager to release Virginia Maier from the position of Administrative Assistant effective February 11, 2013. Mayor Bodnar said it was with regret. Motion carried unanimously.

Mr. Votedian moved, seconded by Mr. Lloyd to authorize the Borough Manager to advertise for the position of Administrative Assistant. Motion carried unanimously.

Mr. Lloyd moved, seconded by Mr. Inglis to reappoint Starrett and Associates, on the recommendation of the Main Street/TIF Committee, as the provider of administrative services to the Main Street/TIF Committee. Motion carried unanimously.

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Mr. Inglis moved, seconded by Mr. Shields to approve the payment of \$3,915.00 to Starrett and Associates, on the recommendation of the Main Street/TIF Committee, for services rendered to the TIF Committee from January 1 through December 31, 2012. Motion carried unanimously.

Mr. Shields moved, seconded by Mr. Votedian to approve the transfer of \$3,702.47, on the recommendation of the Main Street/TIF Committee, from the administrative fund to the infrastructure fund of the Main Street/TIF Committee. Motion carried unanimously.

Mr. Votedian moved, seconded by Mr. Lloyd to exonerate the tax collector in the amount of \$336,212.92 for tax year 2012. Motion carried unanimously.

Other Items:

Mr. Shields asked about the number of handicapped parking signs in the Borough. He noted that some of them seem to have been out there forever. "People come and go, and we never check back on them," said Mr. Shields. It was suggested that perhaps the signs could be limited based on density of the area and use a formula to determine the number that can be assigned. Mr. Votedian suggested a sign with an expiration date sticker. Mr. Lloyd suggests they could expire every other year and require a reapplication.

Mr. Votedian said that he wanted to mention that some of the fire company buildings need work. He said they are getting worse and worse. He noted in particular that Fire Halls #4 and #5 have defective man doors.

The Mayor noted that we have lots of abandoned bicycles in our evidence room / Police garage. He said he would like to have them taken to the Salvation Army or some other agency where they could be donated, after they are no longer needed for evidence.

Mr. Inglis asked about the Lincoln Navigator in the parking lot. "It's been sitting there for a long time," he said. The Chief said that the US Marshalls were supposed to come and pick it up. "It's owned by the US Government," said the Chief. Mr. Shields suggested we park it in the Post Office parking lot. He said, "We should send them a bill for storage."

Mr. Lloyd said, "I just want to say on behalf of the Carnegie Library of Homestead, they appreciate the donation that Munhall made to them for the boiler. The boiler has been ordered and will be installed soon and the pool will soon be open because of it."

Mr. Shields moved, seconded by Mr. Lloyd to adjourn. Motion carried unanimously. Meeting adjourned at 8:37 PM.

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