

## **DECEMBER 18, 2017 COUNCIL MEETING MINUTES**

Mayor Kuhn - Good evening it being December 18, 2017 at 8:40 P.M. I will present our Agenda, approval of the Agenda will remain as stated. There are no additions or deletions. If everyone could please stand for the Pledge of Allegiance.

### **APPROVAL OF AGENDA ITEMS**

Mayor Kuhn - The Agenda will stand as presented.

### **PLEDGE OF ALLEGIANCE**

All stood for the Pledge of Allegiance.

### **ROLL CALL**

Mr. Brodnicki  
Mrs. Sapp  
Mr. Underwood  
Dr. Kincaid  
Mayor Kuhn

Also attending were Rayan, Manager, Sorce, Manager's Secretary, Schrecengost, Finance Director, Dice, Solicitor, Blackwell, Planning Director, and Minsterman, Engineer.

### **CITIZENS TO ADDRESS COUNCIL**

Mayor Kuhn - Give your name and address for Maureen I would appreciate it.

Greg Whitted - I reside at 7326 Monticello Street, Pittsburgh, Pa 15208. I am the Co-Founder and CEO of the Pittsburgh Housing Development Association which is affordable housing, nonprofit organization whose mission is to improve residential homes and educate individuals on home ownership opportunities. We have been around since the late 80's and we have been working in the capacity of educating individuals on how to own homes and also in the development of home ownerships. We have participated with the Wells Fargo Community Urban Stabilization Program which is a program by which we were recipients of a property to rehab and put it back on the market and now we have an opportunity here in Penn Hills Community through the National Community Stabilization Trust Organization which is an organization that handles the REO's that come through the Fanny Mae REO's and they have identified a property here that we have the opportunity to restore and put back on the market for the Community and address one of those concerns that you heard earlier about eliminating blight and that is what the National Community Stabilization Trust does is to acquire these properties and put them into good use and they do it through non-profit such as

PHDA and we have been identified to work with this property to rehab it. We have accessed it and we are looking at a project in the neighborhood of about \$50,000.00 to restore the property and put it back on the market and from our prospective we see it as a 90 - 120 day project and at which time it will be marketed through the Keller Williams Agency to be sold as an affordable housing for a qualified candidate and in order for us to move forward it is necessary that we have the approval of the Municipality in order to move forward and to even get an opportunity to accept the opportunity that is presented to us. As I stated in my letter to Mr. Rayan that is the purpose of my visit here tonight and to address the body of the Municipality of Penn Hills is to get a letter of endorsement from you to move forward with this project at the property if you or do you want me to dispose the address if you like if not it is one that is available through the National Community Stabilization Trust. Is there any questions?

Mayor Kuhn - Mayor & Council has received in our packets from the Manager both of your letters and speaking for myself any help that we can get in getting homes that are in disarray put back on the tax records and also to make them more presentable for the Community they are in. I am assuming that is what your Association does with the comment that engage in restoration of vacant properties in Penn Hills so am I correct in the fact that you purchase properties that are abandoned and then you revitalize them so that they can be occupied and purchased by residents. Is that correct?

Mr. Whitted - Well we in the past we have been donated properties and we do look forward to purchasing properties but to date most of the properties that have come into our organization have come through donations and that is the process by which we have been acquiring the units but they are for the purpose of restoring and to put back on the tax rolls and to have it sold to a qualified family.

Mayor Kuhn - Chris are you familiar at all with this program?

Chris Blackwell - No Mayor I am not. I would be glad to talk to you further about this.

Mr. Whitted - Now Chris are you familiar with the National Community Stabilization Trust?

Chris Blackwell - No I am not. I am the Planning Director from Penn Hills but we have a variety of programs in Penn Hills. We have a home buyer program we do what we call smart sheriff sales putting properties back on the tax rolls. We also demolish properties that aren't successful in a program like yours. So I will be glad to talk to you and I put my card here on the corner of the table to try and get it to you before you are finished but I am not familiar with this particular program, no. Like the Mayor said any program that is going help us take a property, rehab it, and put it back on the tax rolls, I believe part of your component of your program is to assist low income families. I think anything that we can do to assist that Mayor & Council we have always been

Mayor Kuhn - What I would like Chris if you could maybe reach out and get some specifics that you could present to Mayor and Council because just with reading the information that I received I don't know all the actual details to it so if you would be willing to meet with Chris you could arrange what his appointments are and then maybe you could further give Mayor & Council further information as to exactly what all the details are and how it relates to legalities and what have you.

Chris Blackwell - I will do that.

Mayor Kuhn - thank you. Does Council have any questions?

Cathy Sapp - I would like to know the property address.

Mr. Whitted - 9807 Lynnwood Road.

Cathy Sapp - Thank you.

Mark Brodnicki - Yes you said you gain your properties through donations. How many have you done?

Mr. Whitted - Well we are engaged with a property currently that was donated to us through the Community Stabilization Program, Wells Fargo National Bank and we are still working on that project and it should

Mark Brodnicki and Mr. Whitted (in audible - cannot hear on tape )

Mr. Underwood & Mr. Whitted - (in audible)

Dr. Kincaid - (in audible)

Mayor Kuhn - Thank you very much and as I said when Chris finalizes the meeting then he will give a report to Mayor and Council and then that will be the next step.

Mr. Whitted - O.k. I appreciate that and thank you again for the opportunity to speak before Council and the Municipality Body and I hope to get that endorsement from you and move forward with our mission. Thank you very much.

Mayor Kuhn - Thank you for your patience.

## **MINUTES**

Mr. Underwood made a Motion to approve the **Minutes of December 4, 2017 Council Meeting Minutes also December 4, 2017 1st Budget Hearing Meeting Minutes.**

Dr. Kincaid seconded the Motion.

Mr. Brodnicki abstained from the Minutes because he was absent from the Meeting.

There being no further discussion the Motion was passed by a 4-0 vote.

## **EXPENDITURES**

Dr. Kincaid made a Motion to approve the **Expenditures of December 18, 2017,** Journal Vouchers 4, \$6,705,307.77, CD Requisitions 7, \$48,891.25, Checks 39366 - 39485 - \$2,740,949.60 making a Grand Total of \$9,495,148.62.

Mr. Underwood seconded the motion.

Mayor Kuhn - The only comment I have Moe is are there any Expenditures resulting from Change Orders or additional charges other than the original big costs for the Municipal Contract.

Moe Rayan - Other than the minor Change Orders we discussed earlier that are being expended from the money that is left over from the one item for the carbon materials which I have a list of them other than that we have a Change Order for a credit that will be coming pretty soon.

Mayor Kuhn - Thank you and you did make Mayor & Council aware that the upcoming Change Order is for a credit so we will take those Change Orders any day Moe.

Moe Rayan - Correct and all those Change Orders none of them resulted in exceeding the Contract's amount.

Mayor Kuhn - Thank you.

Mrs. Kuhn abstained from Check No. 39455 for \$600.00 to Don Kuhn Auto Body and yes to all others.

There being no further discussion the Motion was approved by a 5-0 vote.

## **RESOLUTIONS**

Mr. Underwood made a Motion to approve **Resolution No. 2017- 081** – approving the extension of The Contract with Crystal Clean Windows, Inc., for One Year until December 31, 2018.

Dr. Kincaid seconded the Motion.

Mayor Kuhn - Moe reading this and the memo that is attached to it are they including the New Municipal Building or are they not? The new Contract is for the list of items that are on there but that does not include when the Municipality comes into play correct?

Moe Rayan - That is correct. The New Municipal Building is not included because obviously it is not completed at this point. That is why it expires in I believe December 17 is the current Contract but like other Contracts they have the option to renew for another year but not for the New Municipal Building it would have to be bid separately.

Mayor Kuhn - O.k. thank you.

There being no further discussion the Motion was approved by a 5-0 vote.

Mr. Brodnicki made a Motion to approve **Resolution No. 2017- 082** - awarding a One Year Contact with Dr. David Sherer at Werntz Memorial Animal Hospital for Veterinary Services for the Municipal Canines.

Mr. Underwood seconded the Motion.

There being no further discussion the Motion was approved by a 5-0 Vote.

Mr. Brodnicki made a Motion to approve **Resolution No. 2017 - 083** - approving the 2018 through 2022 Collective Bargaining Agreement between The Municipality of Penn Hills and The Municipal Employees Organization as a UWUA, AF-CIO Local 602 representing Water Pollution Control Employees and authorizing The Proper Municipal Officials to executive same.

Dr. Kincaid seconded the Motion.

Mayor Kuhn - My only comment Moe is I did not read through the 78 pages of the documentation and I am putting my faith in the fact that you took care of the Contract in the best interest of everyone involved.

Moe Rayan - I thought I did Mayor and I thought that we were fair to the employees. During the negotiations I did forward just a brief highlights of the new bargaining agreement to Mayor & Council but I will do a quick overview of what the contract entails here.

Mayor Kuhn - I appreciate it Moe because as you stated Mayor & Council did receive that in our weekly packet but I think it would be for the people who are in the audience and especially the media for them to have the same information that we received. Thank you.

Moe Rayan - O.K. it is a five year agreement - 2018 through 2022. Wages are 2.75%, 2.50%, 2.50%, 2.00% and 2.00% respectively. Increase the shift differential \$.30 per hour for a couple of individuals. Increase the longevity payments to match other MEO bargaining units in the building. Increase their sick buy back. Maintenance II and Filter Operator will be paid at the same rate as O&M personnel, Monitor, and Plant Operators. Eliminate the Actual Dollar that the ACO Flush/TV hourly wage rate for the crew leader. Eliminate the \$.40 per hour Monitor Callout Procedure payment. Effective January 1st we will be implementing a mandatory participation in the random drug and alcohol testing. Rename the position of Maintenance 1 to Laborer. Now Laborers are required to obtain the CDL within six (6) months of employment and Laborers must obtain the Waste Water License before to be able to bid on any higher classification. New personnel bidding requirements and bidding on a Maintenance II position will have six (6) months to obtain their CDL. Failure to do so they will have to be returned to their previous position. New requirement being implemented in any division with five (5) or more people can have two on vacation at one time. Division less than five (5) can have only have one (1) person on vacation at one time that would assist in a reduction of overtime. In addition to the maximum number of employees to be permitted to be off on vacation at any given time only one additional person in each division shall be able to be off on a scheduled personnel day. So it was a give and take with the folks from the Water Pollution. They conceded to some items and the Municipality brought them up to meet other bargaining units in an effort to save some money although it appears a raise of \$.30 for a shift differential so it was a give and take. Increase the buy back at retirement time. Some of these folks probably won't get to that within twenty (20) twenty-five (25 years) from now.

Mayor Kuhn - Thanks Moe. I know the negotiations are always long going and is always a give and take and I do realize the time that is put in and I am just happy that we gave to a positive result.

There being no further discussion the Motion was approved by a 5-0 vote.

Mrs. Sapp made a Motion to approve **Resolution No. 2017 - 084** - prohibiting the Location of A Category 4 Licensed Facility within The Municipality of Penn Hills.

Mr. Underwood seconded the Motion.

Mr. Brodnicki am I correct that we are already prohibited since we are within 25 miles of a casino?

Mayor Kuhn - I am not really familiar with that to answer that question to you Mark maybe the Manager would know or the Solicitor?

Craig Alexander - It very well may be Mark that that is correct it has been interpreted a couple different ways. I know at one of the other Communities that I represent they are interpreting it as only the casino that is situated within a 25 mile radius can be awarded one of these mini casinos so my opinion is if you desire to opt out regardless of the legislature may have already have done that because you live within 25 miles in case there is that ambiguity in the wording of the Legislation it makes sense if the majorities will top out to actually do it. You can always opt back in. The law permits you to opt back in at any time but it only gives you the one occasion to opt out.

Mark Brodnicki - So if a casino they could just apply for a permit to come in but since we are opting to have them not in here let's say if they want to come in because of our population and they decide to offer to build us new roads or something we could always go back into it then?

Craig Alexander - that is absolutely correct.

Mark Brodnicki - Thank you.

Mayor Kuhn - That is one of the pluses because of the fact as was stated by our Solicitor you only have one chance to opt out but if you do opt out you can opt back in at any given time so I think this Resolution is favorable to the Municipality.

Moe Rayan - Mayor just in addition to that we didn't it is not like we have been sitting on this for two, three years to make a decision this just came to us I believe it was enacted in October or November. We received a letter probably about a week before you received your packet so we had to act on that just to make sure that we are in compliance with the act and like the Solicitor said we can opt out.

Craig Alexander - They gave you a very limited window which to act and you have to have this Resolution into the Gaming Board no later than December 31, 2017.

Mayor Kuhn - Right and being that the window of opportunity was so small it would be to our advantage to opt out because that is our only chance to because of the fact if we want to at a later date revisit and opt back in we have that ability.

There being no further discussion the Motion was approved by a 5-0 vote.

Mrs. Sapp made a Motion to approve **Resolution No. 2017 - 085** - authorizing Fedele Insurance Services Inc. to bind The Municipality's 2018 Insurance Coverage.

Mr. Underwood seconded the Motion.

Mark Nese - 326 Lynnwood Drive - All I wanted to say is I will ask it as a question are you aware that you can receive a 5% discount on your Workers Comp Premium if you have a Certified Safety Committee, so if you don't that is something to consider. There are a bunch of stipulations but AmTrust would have to give you a 5% discount which would be a little over \$38,000.00.

Moe Rayan - We appreciate your comment but actually we have been doing that for quite some time. We established a Safety Committee and it is lead by Cynthia Carson she is not in the audience as she was earlier with assistance of Fedele Insurance and we are receiving that 5% and we just received our Certification about a month ago for 2017.

Mark Nese - Fantastic - thank you.

Moe Rayan - Thank you.

Mayor Kuhn - Thank you for that comment. If we hadn't been doing that policy it is good information to give us to look into.

Mayor Kuhn - Jeff do you want to come up and give a presentation. Not to get to personal but Fedele Insurance has been very good to the Municipality for many many years. Jeff's Father Jim who started Fedele Insurance represented the Municipality in every favorable way that he could. With his passing his two sons Jeff and Chris took over and Chris was part of our Municipal family and unfortunately we lost him a month or so ago so it is with a heavy heart that Chris isn't here for us but who better to represent the Fedele Insurance than Jeff. So the floor is yours honey.

Jeff Fedele - Thank you. I will be brief. Fedele Insurance has been in Penn Hills since 1971. I have been with the agency for 25 years and am honored that we still have an opportunity to be your Insurance Broker. I think you can see by the Proposal this year that we did very well. We lowered the deductibles on almost everything. Mainly the fire trucks, \$5000 deductible down to a \$1000 and increased the Umbrella Policy from four million up to ten million and overall we lowered the premium for a savings of \$129,000.00 which was roughly a 10% savings to the Municipality for the Insurance Program.

Mayor Kuhn - Fedele Insurance has always given to the Municipality every attempt to save the Municipality and the tax payers money every year that they presented it and this is no exception everyone who is familiar with insurance being a business person I am. Very seldom do you have your insurance policy premiums go

down. They generally go up. To have a savings of \$128,958.00 represents a 9.8% savings to the Municipality and that is absolutely wonderful and we are moving to Travelers for one reason and most insurance companies if I am not mistaken Jeff do not give Workman's Compensation to Volunteer Fire Companies.

Jeff Fedele - Well we are moving everything to Travelers except for the Workman's Compensation.

Mayor Kuhn - Right because that has to be done with what is the name of it?

Jeff Fedele - AmTrust is the carrier who will cover Volunteer Firemen.

Mayor Kuhn - And that is the reason it is taken out of Travelers is because of the fact most do not want to cover our Volunteer Firemen so everything is being transferred to Travelers with the exception of the Workman's Compensation and we have to take care of our Volunteer Fire Departments. So once again what can we say when you come in with a 9.8% savings.

Mrs. Sapp - I just want to reiterate and read this part that Fedele Insurance Services were able to enhance some coverage, lower some deductibles and reduce the overall premium for 2018 by \$128,958 so as you said that is a 9.8% premium savings for our Municipality and I just wanted to say thank you so much to Fedele Insurance for that.

Mayor Kuhn - Any other comments?

There being no further discussion the Motion was approved by a 5-0 vote.

Mayor Kuhn - We will have an Executive Session after the meeting regarding Personnel Matters. Do I have a Motion to adjourn?

## **ADJOURNMENT**

Dr. Kincaid entertained a Motion to adjourn.

Mr. Brodnicki seconded the Motion.

Mayor Kuhn - Meeting is adjourned.

The meeting was adjourned at 9:20 P.M.

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DATE

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MAUREEN M. SORCE  
MANAGER'S SECRETARY