

## **February 4, 2008 Council Meeting Minutes**

The February 4<sup>th</sup> meeting of the Penn Hills Council was called to order at 7:38 p.m. in Council Chambers of the Municipal Building. Mayor Anthony L. DeLuca presiding.

### **Approval of Agenda Items**

Mayor DeLuca announced that Appointments listed under Items for Consideration would be deleted from the agenda. There being no other changes to the agenda, it was approved as amended.

### **Pledge of Allegiance**

Council and the audience stood for the Pledge of Allegiance.

### **Roll Call**

Roll was called and the following members of Council responded:

**Present:** Dr. Kincaid  
Mrs. Kuhn  
Mr. Palumbo  
Mr. Underwood  
Mayor DeLuca

Also present were: Controller Sciulli, Manager VanHorne, Solicitor Brimmeier, Finance Director Schrecengost, Planning Director Davidson, and Secretary Pofi.

## **EXPENDITURES**

### **Approval of Warrants**

Dr. Kincaid made a motion to approve the Master Expenditure Summary dated February 4, 2008 including Journal Vouchers numbering 1 in the amount of \$180.67; CD Requisitions numbering 4 in the amount of \$23,334.00; Master Checks No. 6530 to 6693 in the amount of \$445,078.49, for a grand total of \$468,593.16.

Mr. Underwood seconded the motion

There were no questions/comments from the audience.

Mrs. Kuhn questioned Check No. 6635 for library ice and snow removal. She advised Council that she spoke with the Finance Director and Manager as the amount was almost \$5,000.00. She requested a print-out on the Library and Senior Citizen Center, and has asked the Manager to look into the number of call outs as they seem excessive.

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Mayor DeLuca advised that the warrants would be approved with this check subject to the Manager's approval before being released.

Mrs. Kuhn questioned Check No. 6672 for the rental of the cameras in the police cars. She thought these were purchased. Mr. Schrecengost advised that the Municipality received a grant from Senator Costa and is being reimbursed for this expense.

Roll was called and the warrants were approved.

**ORDINANCES**

Mrs. Kuhn made a motion to approve **Ordinance No. 2493** for the editing and inclusion of local legislation incorporated into the Codified Ordinances of the Municipality and to approve, adopt and enact new matter in the Codified Ordinances.

Dr. Kincaid seconded the motion.

There were no questions/comments from the audience.

Mrs. Kuhn asked whether the Municipality has ever considered reviewing the ordinances that were somewhat back dated or the language no longer appropriate, for possible changes in the language or removal.

Solicitor Brimmeier advised that this could be done and advised Council that she could do this.

Mrs. Kuhn suggested that this item be placed on a future Discussion Session.

Solicitor Brimmeier suggested that the Manager send a memo to the department directors asking them to review ordinances pertinent to their departments from their perspective for changes, etc.

There being no further discussion, roll was called and the motion was approved by a vote to 5 to 0.

**RESOLUTIONS**

Dr. Kincaid made a motion to approve **Resolution No. 2008-012** authorizing the execution of a lease agreement with the Penn Hills Family Service Group, Inc., for the operation of the Penn Hills Multi-Purpose Center located at 2025 Lincoln Road.

Mrs. Kuhn seconded the motion.

- Mickey O'Connor, 1095 Maple Avenue – Mr. O'Connor asked, that with the change in lease ownership/operation, will Penn Hills make sure that this building is up to our codes and standards.

Mayor DeLuca responded that the Municipality is working on that.

Howard Davidson responded that the building has been inspected, a punch list has been prepared, and repairs/improvements are being funded through Community Development funds.

- Dr. Kincaid asked for clarification on several matters. In reference to Article III, 1.A regarding responsibilities for various cost relating to repairs and maintenance of the building, is there a budget for these. Dr. Kincaid's concern relates to items beyond normal maintenance (grass cutting, snow removal, etc. which is Penn Hills' responsibility), such as capital items and their ability to pay for them. He referred to 1.b regarding quarterly reports and the group's budget regarding overruns. He questioned whether an amendment was needed to say that such reports would be in the form of a budget to be reviewed and monitored.

Howard Davidson responded that their biggest expense will be their electric bill and probably janitorial services. He also stated that they could be asked for specific items to be included on the report. He also stated that previous Council's provided some help to the previous group that normally a tenant would provide, and hoped that this would continue. This lease was based on the previous lease.

- Mrs. Kuhn reiterated that she had similar questions regarding the Municipality providing sewage services, grass cutting, snow removal, etc. especially in light of the snow removal expenses at the Library and Senior Services. She also asked whether there was funding for these services in the 2008 Budget, and are we providing these services because we own the building.

Mayor DeLuca responded that is correct.

Howard Davidson stated that they would have been budgeted for 2008 as in the past.

- Dr. Kincaid also had a question regarding 1.f and 1.g under the same Article III.

Solicitor Brimmeier responded that the language under 1.f is standard language in a lease.

Howard Davidson responded that 1.g regarding insurance coverage is the same as in previous leases, and that they have to provide proof of the liability coverage to the Municipality.

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- Mrs. Kuhn advised that she has also reviewed the lease agreement and hopes that the Municipality follows through on it. She felt that the inclusion of Article II, 1. and Article II, 4. were important. Also Article III, d. regarding improvements to the building by the tenants needed to be clear to them. She wanted to make sure that the new tenants were aware of all these conditions. She also wanted to clarify that under Article III, c. that the tenant will be responsible for the good repair of the building after it is brought up to code by the Municipality.

There being no further discussion, roll was called and the motion was approved by a vote of 5 to 0.

Dr. Kincaid made a motion to approve **Resolution No. 2008-013** authorizing the extension of an agreement with Langholz Wilson Ellis for the sale of the Old Public Works Garage at 12812 Frankstown Road.

Mrs. Kuhn seconded the motion.

There were no questions/comments from the audience.

- Mrs. Kuhn reiterated that she brought this item up last month because she had questions and concerns—how many people have looked at it; how many were interested; is the property being presented as Mayor and Council wanted it. She thanked Mr. Davidson for the report he provided to her. Is this property being promoted as Mayor and Council requested. She was told there was a potential buyer back in November, but still has no information regarding this.

She also suggested that the Manager sit down with the company and explain to them that Mayor and Council are anxious to complete the sale and have the property back on the tax rolls.

- Mayor DeLuca advised that looking at the report, only one person toured the building and looked at it twice.
- Mr. Davidson advised that as late as today, that same person has asked for a survey.
- Solicitor Brimmeier cautioned Council regarding any discussion of this matter as this is an executive session item.

After further discussion, it was the consensus of Council to amend the motion to shorten the time period for this extension to August 1, 2008.

There being no further discussion, roll was called on the amended motion and the motion was approved by a vote of 5 to 0.

Mrs. Kuhn made a motion to approve **Resolution 2008-014** awarding a contract to Traffic Control Equipment and Supply Company, Inc. for traffic signal maintenance services for a three-year period. Total amount for 2008 – \$9,000.00, 2009 - \$9,000.00, 2010 - \$9,000.00 for a grand total of \$27,000.00 for the three-year period.

Dr. Kincaid seconded the motion.

There being no questions/comments from the audience or Council, roll was called on the motion and the motion was approved by a vote of 5 to 0.

### **Items for Consideration**

Appointments were deleted from the agenda.

### **Introduction of Ordinances, Resolutions, etc.**

Council had no legislation to introduce at this time.

### **REPORTS – Mayor, Council, Manager, etc.**

- Mrs. Kuhn advised she received a letter from a resident who is concerned about the lack of recycling by residents on Orin Street. She stated that many households did not have recycling cans. She felt that new residents should receive information regarding recycling.

Mr. Davidson advised that we have that information and could make it available again to residents. He also stated that the Municipality has a real problem as the amount being recycled each year is decreasing, and the issue needs to be addressed. He feels that this should be placed on a Council workshop. Education, enforcement by both residents and commercial businesses, etc. need to be addressed.

Mr. Davidson advised that the Municipality has received a \$10,000.00 grant to study our program.

Mayor DeLuca also advised that, as part of our garbage/recycling contract, the current hauler is supposed to help with education.

Mrs. Kuhn also advised that the resident stated there was a large green van parked on the front lawn of a property on Long Road. Since our new ordinance regarding abandoned vehicles on private property has gone into effect, she will forward this to the Manager to forward to Code Enforcement.

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Mrs. Kuhn also stated that there was a letter in the packets from Lavender Heights regarding the Municipality paying for laundry machines for the residents.

Mr. Davidson advised that this item would be placed on the next workshop.

Mrs. Kuhn also advised that she received a memo from Bob Hunter, Director of Code Enforcement regarding the wall in front of the closed Tivoli Restaurant advising that the issue is being addressed.

At this time, Mayor DeLuca advised that Council would be going into a closed executive session to discuss a personnel matter.

**Adjournment**

There being no further business, the Mayor asked for a motion to adjourn.

Dr. Kincaid made a motion to adjourn the meeting

Mr. Underwood seconded the motion to adjourn, and it was approved by a vote of 5 to 0.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

/s/ Ursula Pofi  
Secretary

These minutes approved by Mayor and Council on February 18, 2008.

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