

November 3, 2008 Council Meeting Minutes

The November 3rd meeting of the Penn Hills Council was called to order at 7:33 p.m. in Council Chambers of the Municipal Building, Mayor Anthony L. DeLuca presiding.

Approval of Agenda Items

The Mayor announced that Item No. 6. a. Appointments were being deleted from the agenda. There were no other changes and the agenda 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: Mr. Palumbo
Mr. Underwood
Mayor DeLuca
Dr. Kincaid
Mrs. Kuhn

Also present were: Manager Van Horne, Solicitor Brimmeier, Gateway Engineer Minsterman, Finance Director Schrecengost, Planning Director Davidson and Deputy Clerk Fitzhenry.

Citizens to Address Council

Mr. Robert Larko spoke on behalf of the American Cancer Society's Relay for Life East. He said that the event committee is excited to be returning again to Penn Hills and they hope to continue the success that the event has found since moving to Penn Hills. Numerous special events are planned during the 24-hours including an attempt to break the Guinness Book of World Record's Simon Says record. The committee is hoping to have over 1,200 participants and break the record. He urged everyone in attendance to participate in the Relay. He submitted a proposal for the event for Council to assist the committee in planning the details of the event. He also extended an invitation for everyone to attend the Kick-Off Party on November 19, 2008 at 6:30 p.m. at Teen Oasis in Monroeville.

Mayor DeLuca asked that the information be included on the municipal website.

Citizens to Address Council (Continued)

Mrs. Kuhn extended her thanks to Robert Larko and his wife, Selena, for all their work on the last Relay. She is looking forward to sponsoring a team for this year's relay and she is looking for people interested in participating and contributing.

Mrs. Marsha Silvio spoke regarding the sewer rates for people who have sewers but do not have public water service. She explained that her daughter lives by herself and her sewer bill has gone from \$25.00 per quarter to \$130.00 per quarter. She asked that Council reconsider their decision as it relates to costs for homeowners with well water.

EXPENDITURES

Approval of Warrants

Dr. Kincaid made a motion to approve the Master Expenditure Summary dated November 3, 2008 including Journal Vouchers numbering 1 in the amount of \$149.25; C.D. Requisitions numbering 13 in the amount of \$80,135.64; and Master Check Nos. 9226 to 9358 in the amount of \$773,103.49, making a grand total of \$853,388.38.

Mrs. Kuhn seconded the motion.

Mr. Joseph "Mickey" O'Connor questioned Check No. 9274 to B & D Electronics. He asked if the tower agreement was still in effect with B & D Electronic in which they have an antenna on our tower and they agreed to do light and radio transfer work at no cost to Penn Hills.

Deputy Clerk Fitzhenry stated that she believed the agreement was still in effect and she recalled a \$5,000 threshold, but they would have to verify that with the Chief and Purchasing Office. Once that threshold is met, then Penn Hills pays for the transfer work.

Dr. Kincaid questioned Check No. 9279 to Cargill for road salt. He questioned the amount of money spent to date on salt and whether the account was depleted, etc.

Approval of Warrants (Continued)

Manager Van Horne stated that the amount is out of the current budget and there most likely will need to be transfers for additional salt purchases as the year goes on. He also commented that the Municipality is locked-in through SHACOG until early 2009 at a \$40+ rate.

Mrs. Kuhn commented that many communities are having problems obtaining salt and the per ton costs are exorbitant. She asked for clarification on the Municipality's salt agreement.

Manager Van Horne stated that the Municipality is obtaining salt through an agreement with SHACOG at a very good rate. The contract is in effect until early 2009, May or so. Management is monitoring the contract, the availability and supply of salt. They are hopeful that the suppliers will continue to honor that price, as so many other communities are paying prices in excess of \$90 per ton.

Mrs. Kuhn asked if the 2009 Budget prepares the community for an increase or if the figures are based on the contract that expires in May.

Manager Van Horne stated that the 2009 budget figures reflect both the contract prices through May 2009 and increased costs, if necessary, in other line items in the budget.

Mrs. Kuhn questioned Check No. 9326 to Olander Engineering for Lincoln Park Community Center Renovations. She wanted to know if the bill was being paid from capital funds or C.D. funds.

Planning Director Davidson stated C.D. funds.

Mrs. Kuhn then questioned Check No. 9235 for consent agreement penalty. She asked the Solicitor if the matter has been finalized and if the judge has signed off on this.

Solicitor Brimmeier stated that the check was submitted to the EPA, the judge has not signed the final order as of yet, but the Municipality is waiting to hear from the court shortly.

Roll was called and the warrants were approved as follows:

All checks were approved by a vote of 5 to 0, except Check Nos. 9274, 9280, 9298, 9300, 9299, 9305, 9312, 9324, 9335 and 9239, which were approved by a vote of 4 to 1, Mr. Underwood being the negative vote.

Resolutions

Mr. Underwood made a motion to approve **Resolution No. 2008-060** adopting the 6-year Capital Improvements Program of 2008-2013.

Dr. Kincaid seconded the motion.

Mrs. Kuhn questioned some of the expenditures and revenues listed in the back-up, particularly regarding the availability of grant funds. She questioned the availability of grant funding for the demolition of the old municipal garage, etc.

Planning Director Davidson stated that he received a letter acknowledging a grant to Penn Hills, but that the grant contract has not yet been received. He stated that Gateway has done some work to prepare for the demolition, but no work can be done without a grant contract.

Mrs. Kuhn then questioned whether the Municipality would continue to use the same realty company to market that property or if they would be able to look for another firm.

Planning Director Davidson stated that the matter is ready to be discussed at a workshop with potential approval of a new firm at a subsequent meeting.

Mrs. Kuhn is concerned that no one has looked at this property since this realty firm took over in the past two years.

The Mayor directed the Planning Director to seek a proposal from a new realtor.

Roll was called and the motion was approved by a vote of 5 to 0.

Mrs. Kuhn made a motion to approve **Resolution No. 2008-061** authorizing the execution of a Highway Transfer Agreement between the Municipality of Penn Hills and the Pennsylvania Department of Transportation for turn-back of the Old Hulton Road Bridge.

Dr. Kincaid seconded the motion and it was approved by a vote of 5 to 0.

Items for Consideration

Appointments were deleted at beginning of the agenda.

Introductions of Ordinances, Resolutions, etc.

Council had no legislation to introduce at this time.

REPORTS – Mayor, Council, Manager, etc.

Mrs. Kuhn announced that the Amen Corner had their 8th Annual Senator John Heinz Law Enforcement Awards Day on October 22, 2008. She stated she attended on behalf of the Municipality for the second consecutive year and Penn Hills Police had award recipients each year. Officer Como was recognized last year and this year Detective Ben Westwood received an honorable mention. These awards bring recognition to the entire department and community at-large.

Gateway Engineer Minsterman was asking for council concurrence to renew a contract for emergency repairs with Soli Construction at an increased rate of 4% and revise the name of the contract to emergency and unit price repairs.

Mrs. Kuhn and Mayor DeLuca asked for back-up material to be presented on this contract and stated Council will take action at the next meeting.

Mayor DeLuca reported that Rite-Aid on Saltsburg Road will hold their Grand Opening on Thursday, November 6, 2008 at 9:00 a.m. He congratulated the Penn Hills Midget Football Association – Braves, Indians and Bantams - for their sweep of the recent championships by winning all three games against Penn-Trafford.

Deputy Clerk Fitzhenry reminded Council and the audience to assist in moving the chairs to the back of the room to accommodate the elections to be held in the morning

NOTE: The Mayor announced that Council will hold a brief executive session after the adjournment to discuss Litigation.

Adjournment

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

Mr. Underwood made a motion to adjourn the meeting.

Adjournment (Continued)

Mrs. Kuhn seconded the motion to adjourn and it was approved by a vote of 5 to 0.

The meeting adjourned at 8:09 p.m.

Respectfully submitted,

/s/ Diane Fitzhenry,
Deputy Clerk

These minutes approved by Mayor and Council on February 16, 2009.