

July 20, 2009 Council Meeting Minutes

The July 20th 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

The Mayor announced that a motion to appoint Mr. Rayan as manager would be added after expenditures, the discussion session was being deleted from the agenda. There were no other changes to the agenda and it was approved, as amended.

Note: The Mayor announced that Council would hold a brief executive session after the adjournment of the regular meeting to discuss personnel issues.

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

Also present were: Acting Manager Mohammed Rayan, Solicitor Bonnie Brimmeier, Controller Theresa Sciulli, Finance Director Ed Schrecengost, Planner Chris Blackwell and Deputy Clerk Diane Fitzhenry.

Citizens to Address Council

Ms. Sherry A. Matthews addressed Council regarding numerous issues she has experienced with neighbors on Dorothy Drive. She explained that she has contacted the police, magistrate, district attorney, etc. to no avail. She has juveniles who are trespassing on her property; they destroy her landscaping – shrubs, etc; litter and are just an annoyance. She needs some assistance in resolving this issue once and for all.

Mayor DeLuca stated that he will set up a meeting with the Manager, Chief, and Ms. Matthews regarding these concerns. He also asked Mr. Rayan to send Code Enforcement to the neighborhood to check on Ms. Matthews other concerns.

EXPENDITURES
Approval of Warrants

Dr. Kincaid made a motion to approve the Master Expenditure Summary dated July 20, 2009 including Journal Vouchers numbering 1 in the amount of \$33,374.78; C. D. Requisitions numbering 18 in the amount of \$67,684.99 and Master Check Nos. 11501 to 11834 in the amount of \$2,529,219.12 making a grand total of \$2,630,278.89.

Mr. Underwood seconded the motion.

Mr. Sanker questioned the percentage of collection for real estate taxes this year.

Finance Director Schrecengost stated that collections at the 95% mark.

Mr. Underwood questioned the following Checks: No. 11765 to Day Fleet Sales for new patrol vehicles; No. 11588 to Duquesne Light for Old Wm. Penn Pump Station; No. 11693 and 11594 to Garage Door Doctor for DPW and EMS garage door repairs; and No. 11801 to Nick's Auto Repair.

Acting Manager Rayan responded to each of Mr. Underwood's questions.

Solicitor Brimmeier responded to the question regarding the Pump Station.

Mrs. Kuhn questioned the following Checks: No. 11748 to Brimmeier & Associates relating to Eastgate; No. 11673 to Cargill for winter salt; No. 11505 to Chester Engineers for PC UV design, phase III, etc.; No. 11630 to Gateway Engineers re: Shining Arrow; No. 11801 to Nick's Auto Repair; and No. 11120 and other checks to T. Parke Lawn & Landscaping for code enforcement high grass and boarding up, etc.

Acting Manager Rayan responded to each of Mrs. Kuhn's questions.

Planner Chris Blackwell addressed Mrs. Kuhn's questions on the Shining Arrow Project and the scope of the work completed by Gateway.

Finance Director Schrecengost explained that costs for high grass and boarding up of property by T. Parke on behalf of Code Enforcement is included in municipal lien letters and would be collected when the properties are sold.

There being no further questions, the expenditures were approved by a vote of 5 to 0, except Check Nos. 11587 and 11684 to Don Kuhn Auto Body, which were approved by a vote of 4 to 0 to 1, Mrs. Kuhn being the abstention.

Appointment of Municipal Manager – Mohammed F. Rayan

Mayor DeLuca made a motion to appointment Mohammed F. Rayan as the municipal manager,

Mr. Underwood seconded the motion.

Mr. Jim Carnahan said he thinks Moe will do a good job and asked if he was getting a contract.

Mayor DeLuca stated that the contract will come up later in the meeting.

Mrs. Kuhn applauded Mr. Rayan on his accomplishments over the past several months as the interim manager. She feels Moe has the expertise, knowledge and heart to do a great job for Penn Hills. She personally thanked him for his dedication and hard work.

Mayor DeLuca stated that Moe has been working very diligently to resolve issues in the community and it has been an absolute pleasure to have him on board. The Mayor expressed his ongoing support and interest in moving forward with Moe as the Manager.

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

Mr. Rayan thanked Mayor and Council for the opportunity to serve the community.

Resolutions

Ms Kuhn made a motion to approve **Resolution No. 2009-063** awarding a contract for digital in-car video and back office management solution to Kustom Signals, Inc., an approved state vendor in the amount of \$3,211.50 a month for a 62-month lease.

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

Mr. Underwood made a motion to approve **Resolution No. 2009-064** awarding a contract to A. Folino Construction, Inc., for the 2009 Community Development Road Program in the amount of \$253,880.47.

Mr. Palumbo seconded the motion.

Resolutions (Continued)

Mr. Joseph "Mickey" O'Connor asked if a list of streets to paved would be made available. He also questioned the options and what federal regulations would apply to this funding.

Planner Blackwell responded to Mr. O'Connor's questions as it relates to HUD funding.

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

Dr. Kincaid made a motion to approve **Resolution No. 2009-065** awarding a contract for the miscellaneous sanitary sewer repair project for the Water Pollution Control Division to Soli Construction, Inc., in the amount of \$295,585.00.

Mr. Palumbo seconded the motion.

Mr. Joseph "Mickey" O'Connor questioned the funding source for this project.

Manager Rayan and Finance Director Schrecengost stated funding was included in the Sewer Fund.

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

Mr. Palumbo made a motion to approve **Resolution No. 2009-066** approving the employment agreement between Penn Hills and Mohammed F. Rayan.

Dr. Kincaid seconded the motion.

Mr. Joseph "Mickey" O'Connor overwhelmingly agreed with this action. He stated his only concern was the \$3,000 cost for the solicitor to draw up the agreement.

Mayor DeLuca stated the cost arose from the negotiation process between Mr. Rayan and his attorney and the Municipality and our attorney.

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

Items for Consideration

Appointments were deleted at the beginning of the agenda.

Introduction of Ordinances, Resolutions, etc.

Council had no legislation to introduce at this time.

REPORTS – Mayor, Council, Manager, etc.

Mrs. Kuhn reported on the recently held Relay for Life. She thanked everyone who supported her team and provided contributions. She personally thanked Ed Schrecengost for assisting her in the project.

Mayor DeLuca congratulated the Penn Hills Eagle Track Club for their competition in New York recently and stated that a few young people will be representing Penn Hills at the Nationals in North Carolina. He wished them well in their upcoming competitions.

Mayor DeLuca also congratulated the 12-year old boys' baseball team who recently participated in a tournament in Williamsport, PA and won District 4 East. He commended the young men on a great season!

Mr. Palumbo read a letter from the Senior Softball Association commending Mr. Regis Burris, recreation staff, for his dedication and hard work on the baseball fields. He asked that a copy of the letter be given to Mr. Burris.

Note: Council will hold a brief executive session after the adjournment to discuss personnel issues.

Adjournment

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

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 8:32 p.m.

Respectfully submitted,

/s/ Diane Gionta Fitzhenry
Deputy Municipal Clerk

These minutes approved by Mayor and Council on August 4, 2009.

