

## **August 17, 2009 Council Meeting Minutes**

The August 17th meeting of the Penn Hills Council was called to order at 7:35 p.m. in Council Chambers of the Municipal Building, Mayor Anthony L. DeLuca presiding.

### **Approval of Agenda Items**

The Mayor announced that Mr. Bruce Hall asked to be deleted from this agenda, but will speak next month and the discussion session was being deleted from the agenda. There were no other changes to the agenda and 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: Manager Mohammed Rayan, Solicitor Bonnie Brimmeier, Controller Theresa Sciulli, Finance Director Ed Schrecengost, Planning Director Howard Davidson and Deputy Clerk Diane Fitzhenry.

### **Citizens to Address Council**

Ms. Barbara Hubbard requested to speak regarding issues in the vicinity of her home on Emrose Drive, but failed to appear.

Attorney Gary Kalmeyer requested to speak on behalf of residents of Rodi Road regarding recent flooding problems.

Mr. Joseph Durkoske, General Manager of Flynn's Tire Service requested to speak regarding storm sewer issues and other related problems on Rodi Road. He explained there is a massive hole in their parking lot and it grows everyday. This situation deteriorates daily and any project for repairs will be very costly.

Mr. John McGinty from Flynn's Tire stated that he has contacted Penn Dot, Representative DeLuca and numerous other people to get some help.

### **Citizens to Address Council (Continued)**

Mr. Mike Napolitano, owner of the Pennysaver Property on Rodi Road, spoke regarding recent flooding, improvements needed to the stream/creek, costly improvement he has made to his property, etc.

Mayor and Council discussed the matter in detail with the concerned residents and business owners. They asked the Manager to set up a meeting with the Federal, State, County and local officials to meet and discuss solutions to this flooding problem.

Ms. Joyce Davis to speak on behalf of the Lincoln Park Community Center. She thanked Council for their support of the Lincoln Park Community Center and explained all the services and programs that are provided at the Center, including, but not limited to: Penn Hills Satellite Library, 3 full-day Head Start Classes and a family center provided by the Allegheny Intermediate Unit, basket ball programs, the community churches meet monthly, a children's program called "Pancakes & Jesus", food festival, health screenings, food pantry, clothing closet, housing and financial fair, etc. Upcoming programs are the Peace Project dealing with crime and violence in the community, housing rehab program and educational support programming.

### **EXPENDITURES**

#### **Approval of Warrants**

Dr. Kincaid made a motion to approve the Master Expenditure Summary dated August 17, 2009 including Journal Vouchers numbering 1 in the amount of \$33,374.78; C. D. Requisitions numbering 14 in the amount of \$9,644.38 and Master Check Nos. 11938 to 12070 in the amount of \$468,013.37 making a grand total of \$511,032.53.

Mr. Palumbo seconded the motion.

There being no further questions, the expenditures were approved by a vote of 5 to 0, except Check Nos. 12055 to Ritzland Floral Shop, which was approved by a vote of 4 to 0 to 1, Mr. Underwood being the abstention.

### **Resolutions**

Mr. Underwood made a motion to approve **Resolution No. 2009-068** approving and adopting revised rules and regulations of the Personnel Board of the Municipality of Penn Hills.

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

**Resolutions (Continued)**

Mrs. Kuhn asked if this needed to be approved this evening, as she would prefer to have the new information set out in underscores and the old information stricken out like she has received such information in the past.

Mr. Palumbo made a motion to TABLE.

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

Dr. Kincaid made a motion to approve **Resolution No. 2009-069** authorizing Penn Hills to enter into a new towing and storage agreement with Donald L. Kuhn, t/d/b/a Don Kuhn Auto Body for a five (5) year term.

Mr. Underwood seconded the motion.

Mayor DeLuca commended Don Kuhn Auto Body for providing quality, professional services to the community. He stated that he gets letters and phone calls from residents regarding the quality of our towing service.

There being no further discussion, the motion was approved by a vote of 4 to 0 to 1, Mrs. Kuhn being the abstention.

Mr. Underwood made a motion to approve **Resolution No. 2009-70** amending the five year consolidated plan and community development budget 34 and 35.

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

Mrs. Kuhn made a motion to approve **Resolution No. 2009-071** awarding a contract to Smeltzer Construction for the Lincoln Park Community Center Bathroom Renovations – General Construction in the amount of \$49,200.00

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

Dr. Kincaid made a motion to approve **Resolution No. 2009-072** awarding a contract to Three Rivers Electric, Inc., for the Lincoln Park Community Center Bathroom Renovations – Electrical Construction in the amount of \$7,495.00.

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

Mrs. Kuhn made a motion to approve **Resolution No. 2009-073** awarding a contract to John Haughey and Sons, Inc., for the Lincoln Park Community Center

**Resolutions (Continued)**

Bathroom Renovations – Plumbing and Water System Construction in the amount of \$90,780.00.

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

Mr. Underwood made a motion to approve **Resolution No. 2009-074** awarding a contract for the Shining Arrow Recreation Facility Improvement Project to Pampena Landscaping & Construction, Inc., at a total cost of \$99,329.80.

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

Dr. Kincaid made a motion to approve **Resolution No. 2009-075** confirming an appointment of the Zoning Hearing Board of the Municipality of Penn Hills for a five-year term. (Mr. Harold McDonald)

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

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

Council had no legislation to introduce at this time.

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

Dr. Kincaid reported on the Arts Festival recently held at the Library. He felt it was a wonderful event and those in attendance enjoyed it very much. He also commended Howard Davidson for his musical talent, as he performed for the event with his band.

Mr. Underwood congratulated the administration, specifically Diane Fitzhenry, for the recently released municipal map and brochure. He feels it was a very worthwhile project with a lot of good information for residents to have for reference.

Mayor DeLuca announced that the Laketon Heights United Methodist Church, which is Dr. Kincaid's Church, is holding a Fish Fry/BBQ on Friday 8/21 starting at 12 Noon and a Car Wash on Saturday 8/22 starting at 9 a.m.

**Note: Mayor DeLuca announced that Council will hold a brief Executive Session after the adjournment of this meeting to discuss personnel issues.**

## **DISCUSSION SESSION**

There was no discussions session as it was deleted at the beginning of the meeting.

## **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.

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

The meeting adjourned at 8:48 p.m.

Respectfully submitted,

/s/ Diane Gionta Fitzhenry  
Deputy Municipal Clerk

These minutes approved by Mayor and Council on September 21, 2009.