

September 21, 2009 Council Meeting Minutes

The September 21st meeting of the Penn Hills Council was called to order at 7:37 p.m. in Council Chambers of the Municipal Building, Mayor Anthony L. DeLuca presiding.

Approval of Agenda Items

There were no changes to the agenda and it was approved as presented.

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 Mohammed Rayan, Solicitor Bonnie Brimmeier, Controller Theresa Sciulli, Finance Director Ed Schrecengost, Planning Director Howard Davidson, Police Chief Howard Burton and Deputy Clerk Diane Fitzhenry.

Note: **Mayor DeLuca announced that Council held a brief executive session prior to tonight's meeting to discuss contracts.**

Introduction of New Police Officers

Chief Howard Burton presented four (4) newly hired police officers to Mayor, Council and the public. They are Officer Kevin Nemec, Officer Greg Renko, Officer Robert Broadway and Officer Tim Brickner. He explained two (2) were hired in July and two (2) in August.

Mayor DeLuca welcomed the new officers to Penn Hills, congratulated them on their new positions and urged them to work diligently in enforcing the laws of the Municipality.

Council Members echoed the Mayor's sentiment in wishing the new officers well and urging their hard work and safety.

Mayor DeLuca asked the audience to give the new officers a round of applause.

Citizens to Address Council

Mr. Al Papa spoke on behalf of the Penn Hills Planning Commission regarding many issues regarding the Vocollect Development.

Ms. Erin Vecchio requested to speak regarding Vocollect, economic development and governance issues. She arrived late and did not speak.

Mr. Bruce Hall spoke on behalf of the proposed Vocollect Development.

Mr. Greg Swatchick spoke on behalf of residents of Gramac and Ridgecrest in opposing the proposed Vocollect development.

The following representatives of Mr. D'Andrea and/or Vocollect spoke regarding numerous and varied aspects of the proposed development: Attorney Brian Walters, Attorney Steve Jurman and Traffic Engineer Ray Caruso.

Mayor, Council and the Solicitor engaged in major discussion regarding this issue and the problems and concerns that have prevented the development from moving forward.

Approval of Minutes

Mr. Underwood made a motion to approve the August 4, 2009 Special Meeting Minutes and the August 17th Council Meeting minutes, as presented.

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

EXPENDITURES

Approval of Warrants

Dr. Kincaid made a motion to approve the Master Expenditure Summary dated September 21, 2009 including Journal Vouchers numbering 1 in the amount of \$33,374.78; C. D. Requisitions numbering 26 in the amount of \$385,818.17 and Master Check Nos. 12071 to 12393 in the amount of \$2,378,600.94 making a grand total of \$2,797,793.89.

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

Dr. Kincaid made a motion to remove **Resolution No. 2009-068** from the **table**.

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

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.

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. 2009-076** appointing delegates to the Tax Collection Committee required pursuant to Act 32 of 2008 – Countywide Earned Income Tax Collection Mandates.

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

Dr. Kincaid made a motion to approve **Resolution No. 2009-077** authorizing the execution of a consent for right of entry agreement between the Municipality of Penn Hills and the United States Department of Interior, Office of Surface Mining Reclamation and Enforcement for mine reclamation (Project No. 09-066) referred to as the Vollmer Subsidence Project in the vicinity of McCutcheon Lane.

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. 2009-078** authorizing the filing of an application for funds with the Allegheny County Economic Development Community Infrastructure and Tourism Board (ACEDCITB).

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. 2009-079** joining the International Council for Local Environmental Initiatives, (ICLEI), as a full member.

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

Mrs. Kuhn made a motion to approve **Resolution No. 2009-080** authorizing the execution of a vehicle purchasing agreement with the Central Westmoreland Council of Governments.

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

Resolutions (Continued)

Mr. Palumbo made a motion to approve **Resolution No. 2009-081** authorizing the filing of a declaration of taking and all other necessary documents for the partial condemnation of a parcel of land located in the Municipality of Penn Hills for the laying, erecting, installing, reconstructing, repairing, replacing, altering and/or removing of a storm sewer over the property at 1803 Leechburg Road, Verona, PA 15147, further described as Lot/Block 536-H-162.

Dr. Kincaid 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.

Council had no reports at this time.

DISCUSSION SESSION

1. 2009-2014 Capital Program Preview (H. Davidson)
2. Schedule of Fees Ordinance (H. Davidson)
3. New Business (A. DeLuca)
4. G-20 Summit Fire Department Mutual Aid (M. Rayan)

5. Public Comment Period (3 minutes per person)

Mr. Ed Zullo asked if Council Members email address could be available via the website. He mentioned that Terry Van Horne's name still appears on the website and should be replaced by Mr. Rayan. He also questioned if the agenda could be made available prior to the meeting via the website.

Mr. Rodger Byford, CEO of Vocollect commented regarding the traffic signal on Rodi Road at Maple Lane. He explained the safety is of key concern to him and is a separate issue from the additional building. He asked that Council consider the installation of the traffic signal, regardless of their thoughts on the additional building.

Mr. Don Sanker questioned the time limit for speakers on the agenda and commented that tonight's speakers spoke for over an hour. He asked if Penn Dot had written the letters to which Mrs. Kuhn referred in her remarks.

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

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

The meeting adjourned at 9:25 p.m.

Respectfully submitted,

/s/ Diane Gionta Fitzhenry
Deputy Municipal Clerk

These minutes approved by Mayor and Council on October 5, 2009.