

## **September 7, 2010 Council Meeting Minutes**

The September 7, 2010 Council Meeting was called to order at 7:35 P.M. in Council Chambers at the Municipal Building, Mayor Anthony DeLuca presiding.

### **Approval of Agenda items**

The agenda will stand as presented.

### **Pledge of Allegiance**

Council and the audience stood for the Pledge of Allegiance.

### **Roll Call**

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

Also present were: Manager Rayan, Finance Director Schrecengost, Solicitor Brimmeier, Planning Director Davidson, Controller Futules and Administration Secretary Sorce.

### **Approval of Minutes:**

Mr. Underwood made a motion to approve the August 16, 2010 Council Meeting Minutes.

Mr. Palumbo seconded the motion.

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

### **EXPENDITURES:** **APPROVAL OF WARRANTS**

Mr. Palumbo made a motion to approve the Master Expenditure Summary dated September 7, 2010 – Journal Vouchers - \$0.00, C.D. Requisitions (3) in the amount of \$5,765.50; EECBG Requisitions \$0.00; Checks Numbering 15379-15593 in the amount of \$1,576,630.47 making a grand total of \$1,582,395.97.

Mr. Underwood seconded the motion.

Mrs. Kuhn had a question on check #15540 and asked Mr. Rayan if it was resolved? Mr. Rayan answered we put in the call into the adjuster. We are waiting from the insurance company to get back to us on what took place during the transaction itself. When we received a check from the insurance company our understanding at that point was we had to submit the certificate to the insurance company prior to them releasing the payment for the vehicle. As far as returning the balance to them after the repairs we are checking on that and if it needs to be returned to the insurance company we will return it. Mrs. Kuhn responded so then it is o.k. to go ahead and vote on this expenditure. Mr. Rayan responded I believe so at this point we followed instructions that we had from the insurance company prior to releasing the payment. Mrs. Kuhn responded thank you very much.

There being no further discussion the motion was approved by a 5-0 vote. Mrs. Kuhn abstained Check #15438 on page 16 in the amount of \$250.00 to Don Kuhn Auto Body all others yes.

**Resolution No. 2010-053**

Dr. Kincaid made a motion to approve **Resolution No. 2010-053** authorizing an Agreement with National Residential Nominee Services, Inc. Agent in Title for Capital Relocation Services for an existing addition and deck constructed with a Sanitary Sewer Easement at 506 Barckhoff Street.

Mr. Palumbo seconded the motion.

Mrs. Kuhn asked if the owners were in the audience. They replied yes. I just wanted to make sure that they are in agreement with all the conditions in the contract. They replied yes we are. Mrs. Kuhn responded thank you.

There being no further discussion the motion was approved by a 5-0 vote.

**Resolution No. 2010-051**

This resolution was tabled at the August 16, 2010 Council Meeting.

Mr. Underwood made a motion to approve **Resolution No. 2010-051** authorizing the Execution of a Memorandum of Understanding for Improvements to the Intersection of Rodi and Maple Roads.

Mr. Palumbo seconded the motion.

Mayor DeLuca asked we tabled this last meeting so we have to make a motion to remove it from being tabled. Dr. Kincaid made motion to remove. Mr. Palumbo seconded. Mayor DeLuca replied all in favor say I. Everyone replied I.

Mrs. Kuhn replied I believe this was tabled because of some of the wording that was in the previous Resolution. Going over this and I did speak to the Manager those questions that we had were corrected in the new language. If you look on page I the second whereas, it relates to the memorandum dated September 14, 2009. I am assuming that is where we had an agreement with Wilkins that if in any case the developer for any reason would fail his responsibilities to that traffic light that Wilkins is still going to be in the process of taking over all of the costs. Is that correct? Moe answer yes. Mrs. Kuhn replied the only other questions I have is on page two number 1, The Scope of Work and Specifications for the Project will be prepared by PBS&J who will serve as the Project Manager for the Project. All of his fees and expenses, including but not limited to preparation of project specifications, inspections, and approvals for request for payment by contractors shall be considered as eligible construction costs under the CITF Grant. I am assuming that those costs are related to the improvements of the road not the traffic signal. Am I correct in that assumption? I just want to make everything clear before we vote on it. Moe replied Mrs. Kuhn PBS&J is involved in the entire project, roadway improvements and traffic signalization as well. Well then I guess my question is Moe why is it saying that all these costs shall be considered as eligible construction under this CITF Grant. Is that saying that the grant is going to be paying for charges for the traffic signal or is there somewhere else in the agreement that states that that is not the case? Mrs. Kuhn responded my only question here is from the onset for the public that might not have followed this the developer was to be charged for 100% of the cost of the traffic signal and then Penn Hills is put in for this \$250,000.00 Grant. It was my understanding that the \$250,000.00 Grant was going to have the expenses for the road improvements and that that Grant money was not going to go towards any of the traffic signal costs. That is my questions on this. I don't

know all the terms but I am assuming that somewhere in here it is stating that this will be the case, so what I am looking for Bonnie is an assurance from the solicitor saying that the new agreement with the changes are still showing that the \$250,000.00 Grant will not be funded for traffic signal costs.

Bonnie Brimmeier said that it specifically states that no CITF Funds will be used for the traffic signal or traffic signal installation. Mrs. Kuhn responded so therefore number 8 that was added would supersede the Number 1. Bonnie replied if you read them together they would clarify that was not to include anything regarding the signalization. Mrs. Kuhn replied o.k. and asked Moe how will this be watched at the Municipality level. Will this have to go through your office for these expenses; will they have to go through Council or just through the finance department? Moe answered as far as the discretion of the funds it will have to go through the Municipality. It will be just like any Municipal project that we do on our own. The Planning Department will be handling the project and disbursement of funds approval, of pay estimates and so on. It will be administering the entire \$250,000.00 I believe as well as the private funds from the developer. Everything is going to be paid to the Municipality in advance and subsequently will be dispersed under the supervision of the Municipality including the developers money. Mrs. Kuhn replied and that supervision would go through the Planning Department. Is that right? Moe said yes that is correct along with PBS&J.

Howard Davidson replied I need the same help that we always get from the CD Project from the Finance Department, and our Purchasing Department.

Mrs. Kuhn replied that is all Mr. Mayor, thanks.

Mr. Underwood voted no for **Resolution No. 2010-051.**

There being no further discussion the motion was approved by a 4-0 vote.

#### **Resolution No. 2010-055**

Mrs. Kuhn made a motion authorizing the Mayor and Municipal Manager to execute the Consent for Right of Entry Agreement consisting of Installation of a Mine Drainage System on the Alexander and Walker Properties on Poplar Ridge Road.

Dr. Kincaid seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

### **ITEMS FOR CONSIDERATION**

Dr. Kincaid made a motion to authorize the Manger or his Designee to advertise and dispose of bids for the sale of obsolete and outmoded equipment and/or vehicles.

Mr. Underwood seconded the motion.

Dr. Kincaid asked is there any idea how much equipment we are talking about numerically? Moe replied actually the public works is going through gathering all the information right now for all of the obsolete equipment, pieces of furniture, computers and so on that we have out there. I don't have a specific number at this point.

Dr. Kincaid replied thank you.

There being no further discussion the motion was approved by a 5-0 vote.

### **REPORTS**

Mrs. Kuhn - I do believe Moe's office had sent copies to all Mayor and Council a letter from Rev. Spencer Simon, Jr. Unfortunately, the Reverend and I have been playing phone tag for probably six weeks but he did send this copy of what his request is. I am assuming everyone received this. I thought maybe the Reverend would be here tonight. I told him perhaps he could come and address the Council but I see he is not here tonight. So where Moe are we leaving this so that I know what to say to Reverend Simon? Are we going to meet with him on this or do we just look through this and the board gives their comments or what direction do we take from here? Moe answered on Friday when I spoke with the Reverend, he showed up at the office and brought me the copy that I forwarded to you in your packets, along with that he mentioned to me that he will be preparing a cost proposal to identify all the costs associated with this particular program. I did mention to the Reverend that we were going to discuss this item if he was willing to attend the meeting this evening. I was going to get back to him

but, I don't have any cost estimates or anything at this point to show which he was going to bring that same day but he never made it back to the office.

Mrs. Kuhn replied so then we will just be waiting to here back from Reverend Simon.

Moe replied I believe so at this point.

Mrs. Kuhn - we received a memo from the Manager on the new police applicants. It was very heartwarming that we received 99 applications. The statement that I have is that I am very upset and very concerned because of the fact that we received a letter from an ambulance service that the community of Penn Hills is looking to bring in an EMS coverage from outside providing to our community. As far as I know, that is an inaccurate statement and just speaking for myself, I am not at this point in time entering and ever thought of bringing in outside services for the ambulance service. I am sure that everyone here and I know everyone on the Board knows that it is almost a monthly situation where Mayor and Council get letters from the Penn Hills Residents who have nothing but praise for our ambulance service. We did have applications going out for Paramedics and unfortunately the Paramedic applications did not come in anywhere near the percentage that came in for the Police Department. And I know that the Manager and I have spoke about this several times because of the fact that someone comes up to the Manager's office and wants to give a proposal anyone can come up and give the Manager a proposal on any issue, because of the fact a private individual comes to the Manager's office with a proposal does not in any way, shape or form give that individual or anyone else the right to put it out into the community that Penn Hills is looking to close down their Paramedics and bring in an outside service. And that is exactly what took place and that is exactly my concern with the Manager before this letter was sent out. And I said to him, with needing Paramedics if it goes through the Paramedic Community that Penn Hills is closing down their Paramedics then how do you expect any Paramedic from any other area to leave their job and come to Penn Hills and apply for a job when they are saying why should I leave an employment that I already have a job and go to somewhere that I am going to get a job that it might not be stable because they are shutting it down. This was very poorly done and it was very unprofessional. I am very upset with the individual who did this and I am very upset that this information went through the Paramedic Community because as I said the fact of it is it was never discussed by this Board that we were getting rid of the Paramedics in Penn Hills, and I am very upset at this and I

do believe it has nothing to do with residency because of the fact, why would we get 99 applicants for the Police Department. I believe the reason we did not get the applications has nothing to do with the cost, because when I looked around the community and the neighboring community, Penn Hills Paramedics are making more than the average income of the Paramedics, so the only thing I can conclude is the reason we did not receive the amount of applicants that we should have for the Paramedics position is because of this terrible rumor that went out and rumors are very damaging and in this case untrue. I am very upset about this and I don't have any ideal how we can correct it, but I just wanted it to be said to the public, which is very few here tonight and no media, that as far as my information on this Council this has never even been discussed.

Mayor responded Mrs. Kuhn in that letter I guess it came from Forbes Regional Hospital but they said they got it from the Monroeville Papers.

Mrs. Kuhn responded then someone gave it to the Monroeville Papers.

Mayor DeLuca has a brief report. Around this time we are always looking for volunteers for the Penn Hills Train Display. If you know of anyone who is interested in helping us set up the train display, please let them know we are looking for volunteers. It is always a great way for us to raise money and we give it to different organizations and it is always a kick off for our Penn Hills Light Up Night. So if you know of anyone, please let them know we are looking for volunteers.

Mayor DeLuca said that now they would go into the Executive Session.

### **ADJOURNMENT**

Mayor entertained motion to adjourn.

Dr. Kincaid made motion to adjourn.

Council Meeting  
September 7, 2010  
Page Eight

Mr. Underwood seconded the motion.

Meeting adjourned at 7:59 P.M.

---

MAUREEN M. SORCE  
ADMINISTRATION SECRETARY

---

DATE