

JANUARY 18, 2011 COUNCIL MEETING MINUTES

The January 18, 2011 Council Meeting was called to order at 7:35 P.M. in Council Chambers at the Municipal Building, Deputy Mayor Sara Kuhn presiding.

APPROVAL OF AGENDA ITEMS

Deputy Mayor Sara Kuhn announced that the Mayor called and he is not able to make the meeting and that the Agenda will stand as proposed and after the Pledge of Allegiance I would like to have a moment of silence from everyone for the terrible tragedy that took place in our Nation in Arizona and if we could pray for the victims, their families, their friends and for our entire Nation for healing and understanding. If we could have a moment of silence after the Pledge of Allegiance I would appreciate it. Thank you.

PLEDGE OF ALLEGIANCE

Council and the audience stood for the Pledge of Allegiance.

ROLL CALL

Present: Dr. Kincaid
Mrs. Kuhn
Mr. Palumbo
Mr. Underwood

Also present were: Municipal Manager Rayan, Finance Director Schrecengost, Solicitor Brimmeier, Conrtoller Futules, Planning Director Davidson and Manager's Secretary Sorce.

Mrs. Kuhn – May I have a motion to ratify all actions taken at the December 30, 2010 Special Meeting.

Mr. Underwood made a motion to ratify all actions taken at the December 30, 2010 Special Meeting/Budget Adoption held in Council Chambers, 3:00 P.M. including Approval of Minutes of December 30, 2010, Expenditures for December 30, 2010, Ordinance No. 2010-2529, Ordinance No. 2010-2530, Ordinance No. 2010-2531, Ordinance No. 2010-2532 and Ordinance No. 2010-2533.

Dr. Kincaid seconded the motion.

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

APPROVAL OF MINUTES

Mr. Underwood made a motion to approve Minutes of December 30, 2010.

Dr. Kincaid seconded the motion.

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

EXPENDITURES

APPROVAL OF WARRANTS

Dr. Kincaid made a motion to approve the Master Expenditure Summary dated January 18, 2011 – Journal Vouchers 0 - \$0.00 – C.D. Requisitions 3 - \$1,928.91 – EECBG Requisitions 0 - \$0.00 – Checks Numbering 16704 - 16753 in the amount of \$513,139.37 making a grand total of \$515,068.28.

Mr. Underwood seconded the motion.

Mrs. Kuhn – I want to make a clarification. I will be abstaining from Check No. 16731 to Don Kuhn Auto Body and that there was a question that was called to my residency on this questioning whether Mr. Kuhn who is my husband and sole proprietor of Don Kuhn Auto Body is being paid by the Municipality. So I explained to the resident and just for the audience he does not get paid from the Municipality but he does tow the Municipal vehicles such as police cars, ambulances, senior citizen and fire trucks free of charge. The only charge that he does make is when he tows the large public works vehicles and when he does tow those and charge it is because of the fact he has to use such a large truck and he does charge at a discount rate and I did want to clarify that because it seems that some people thought that he was being paid by the Municipality.

Roll Call – Mrs. Kuhn abstained from check #16731 to Don Kuhn Auto Body and all the rest yes.

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

RESOLUTIONS

Mr. Underwood made a motion to adopt **Resolution No. 2011-001** authorizing destruction of certain Municipal Records in accordance with The Pennsylvania Municipal Records Manual.

Dr. Kincaid seconded the motion.

Don Sanker, 780 Long Road - In accordance with these rules what is the methodology that is used to destroy these records? Shredded - by a certain company?

Moe Rayan responded shredded.

Don Sanker responded – they are all shredded. Here or where?

Moe Rayan replied – we usually have a box truck come out on site and take care of that.

Don Sander replied and are they insured?

Moe Rayan replied yes.

Don Sanker – these records with identify theft the way it is today you need to be so so careful, that is all I am asking.

Moe Rayan responded right.

Mrs. Kuhn – Moe just to clarify that when we have these records that are being destroyed a lot of these records are just housekeeping records that we are basically just getting rid of, is that correct?

Moe Rayan responded that is correct, all these records contain bid specifications for paving contracts for vendors, specifications for dump trucks for Public Works, HUD Projects, really there are no Social Security Numbers or any identity theft that will take place with records like this. The Police Department they do contain a lot of personal matters, Social Security Numbers and so on and they do shred their documents as well.

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Mrs. Kuhn – Moe I do know a few years ago questions about destroying the records of Council Meetings and that is not included in this group, am I correct?

Moe – that is correct, this particular group is going back to 1997 and 1998 and most of the documents are bid specifications.

Mrs. Kuhn – Thank you.

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

Mr. Underwood made a motion to approve **Resolution No. 2011-002** approving The Five Year Consolidated Plan, Community Development Application, Action Plan for 2011-2012, and the Home Program.

Mr. Palumbo seconded the motion.

Mrs. Gladys Nesbitt, 1832 Runnette Street, in regards to the Rehab, where are these homes and where and what homes will be rehabilitated.

Howard Davidson – The Rehab Program is a town wide program eligible to any family that qualified under basis of income, so to answer your question the homes can be anywhere in Penn Hills. We have money from previous years, it is a continuing program this program has been operating for around 30 years so any qualifying homeowner that is interested in a low interest loan should contact the Planning Department, particularly John McCafferty any day, any time, call tomorrow.

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

Dr. Kincaid made a motion to approve **Resolution No. 2011-003** awarding a contract to Vince's Electrical Services for The Penn Hills Community Park Field Lighting Project – Phase II.

Mr. Underwood seconded the motion.

Mrs. Kuhn – I just want to make one comment on this. In our Manager's Report of January 7, 2011, this is one of the five grants that have been coming out of State Representative DeLuca's office. Is that correct? Moe replied that is correct. Mrs. Kuhn replied and we have received the funding for the demolition of the Old Public Works Garage, Phase II of the Dog Park Improvement, General Park Improvement, In-car Cameras for Police Cars and this one for the Ballfield Lighting and I just wanted to make the public aware that this is a grant and it is one of five that we have received through State Representative DeLuca's office.

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

Mr. Palumbo made a motion to approve **Resolution No. 2011-004** approving the 2011 through 2014 Labor Agreement between The Municipality of Penn Hills and the Police Advisory Board and authorizing the proper Municipal Officials to execute same.

Dr. Kincaid seconded the motion.

Mrs. Kuhn – Moe I wanted to go over some verification on the contract itself. On Page 9 of the contract this what is highlighted is new language, am I correct? Moe Rayan replied that is correct. Mrs. Kuhn – page 21 – Moe replied that is correct? Mrs. Kuhn – this is new language too as far as the longevity, am I correct? Moe replied yes that is correct. Mrs. Kuhn – now on page 25 Moe where it is highlighted it has up to \$400.00 a month, now does that mean it can be less than that. Moe replied no that is \$400.00 a month. Ed Schrecengost replied it can be less. Mrs. Kuhn replied it can be less because I did notice it has an increase to be up to \$400.00 so that means that is the max but there is a possibility that it could be less. Moe replied yes we have officers that still receive a less amount than that. This particular language is effective January 1, 2011 that is when that new number kicks in, however we do have officers that receive a less amount than that. Mrs. Kuhn – on Page 28 as far as the uniforms I didn't see in there are they getting that lump sum or are they to give receipts on what purchases they make and then get reimbursed for the purchases they make? Moe replied – the Quarter Master System will be reinstated and that will be based upon receipts submitted to the Municipality. There will no longer be lump sum payments. Mrs. Kuhn – on page 34 on vacation quote – Moe replied – yes the bolded language is the language that will be in effect. Mrs. Kuhn – will

that new language when in effect help so that when we have vacations we won't have as much overtime for people who have to cover for those who are on vacation? Moe replied – that and in conjunction with the new officers that the Municipality plan on adding to the force we are hoping that overtime will be reduced.

Mrs. Kuhn – I only have one more question Moe and going through it I didn't see it, is there any language in the new contract pertaining to clarifying the change of shifts when day light savings time goes into effect. Moe replied actually we have agreements in place with the PAB and we have made a proposal to the PAB and waiting for their response at this point. Mrs. Kuhn responded thank you Moe and that answers almost all the questions I had.

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

DISCUSSION SESSION

Mrs. Kuhn – Under the Discussion Session we have new business by the Mayor who isn't here and Howard did have a discussion on Fighting Blighting Influences but I know that the Mayor had some language with you Howard on that so I am asking if we can Table that until he was here so he is available for any questions or answers? Is there a time frame of importance? Howard answered there is no problem it can be tabled until next month and the items that I just handed out this evening you can take a look at between now and then. Mrs. Kuhn said that will be great.

PUBLIC COMMENT

John Dugan – 731 MacFarlane Drive – I don't have any comments, but I do have a couple things I would like to bring attention to everybody and with our standing room only crowd. About a week back The Post Gazette had listed again where Penn Hills is losing along with some other communities some more busing, so that hurts the person who can't afford to drive and for many number of reasons. And secondly I am not pushing anybody for any type of office but I didn't know if anybody noticed Friday, January 14 the article about Dan Onoroto that he mentions about something I have been asking for quite some time. Why a Judge can order reassessment in Allegheny County and yet all our surrounding counties are not affected whatsoever? It just doesn't make sense to me. And it seems to me something is always being pushed down our throats. Deputy Mayor, you and I have had some discussions about section 8 homes but we won't

get into that but it seems like Penn Hills gets wrapped all the time, Allegheny County gets smacked all the time and the meantime all these people living in Fox Chapel these judges and everything they seem to ignore the situation and keep making these rulings. I had to get it off my chest to somebody and since there is just me and the dog at home I figured I would come up here. Thank you.

Mrs. Kuhn responded you are welcome and that is what public comment is for. And just to touch on the section 8 housing when it does come up and I do believe it is a problem in Penn Hills and we have instructed the Manager to get in touch with the authorities to say that we know that as a Community we are not permitted to stop section 8 housing. There is no way as a community, the solicitor can correct me if I am wrong, no way as a Community that we can say that Penn Hills has so many and we don't want any more. I know that the residents would like that to be the case but unfortunately we as a governing body do not have the power to do that. Section 8 housing is not distributed by Mayor and Council, it is federally and they make the decisions on it. But what we have tried to do is we have attempted to make the authorities aware of the fact that we felt it is disproportioned and that Penn Hills has received much more than the surrounding Communities, but for us to be able to stop that is absolutely impossible on this end. So the only way that that could be addressed would be if the residents would address it to their Federal Representative, then perhaps they would do something, but as a governing body our hands are tied and there is nothing more that we can do. Any other public comments?

Gladys Nesbitt, 1832 Runnette Street - I am referring to the article in the Penn Hills Progress in regards to LERTA Project. I was wondering what specific streets are being considered and are you working with the New Penn Hills Development Corporation?

Mrs. Kuhn replied Howard Davidson can address that but I know that the LERTA Program is a joint program that we were able to incorporate with the Penn Hills School District because without the school district it really would not have any teeth in it because of the fact that the Municipal Tax Base is so much smaller than what the School District Tax Base is. So by us doing it jointly with both the School District and the Municipality it is more of an advantage for someone to come in because of the fact that they have both governing bodies. Now I do know that we do have and what we are hoping for Howard and you can go into with more discussion is there is certain areas throughout the Municipality that we have designated for commercial and then we are making it at this

point in time for anyone who would be interested in building residential in what is known in our community as the Lincoln Park Area.

Howard Davidson responded there are two maps associated with the LERTA Ordinance. The map for housing is available and it is essentially everything West of Verona Road to the City of Pittsburgh. The commercial is essentially the Plum Creek Corridor, down around Community Market. Those two areas are maps that go along with the Ordinance and I would be glad to show anybody the map that wants to take a look and consider an application. As far as the Community Development Corporation, Mrs. Nesbitt you are welcome to talk to them, there are three members sitting right behind you attending this meeting. They would be glad to answer questions you might have and I can assure you that the Planning Department is very much involved and we hope to be more involved in the future. CDC is having elections tomorrow night at the Senior Citizens Center and I am looking forward to planning the community gardens again next spring and the people can look forward to an Economic Development Plan for Rodi Road as part of the CDC Projects and I think you will see several other projects materialize over the next six months to a year. I wish them well.

Mickey O'Connor – 1095 Maple Avenue – All you individuals up there know I am an elected constable and one of the disturbing parts of my job is you have to go out and serve eviction notices. Throw people out of their apartments. Trust me when I go into some of these apartments in Penn Hills I think Code Enforcement went in with there eyes closed when they did the last Occupancy Permit. There are fire extinguishers out of date, the entrance ways in most of these places are filthy. They are terrible and I don't know what Code Enforcement's priorities are when they go in to do an Occupancy Permit on some of these properties but I will tell you what they are not looking at the whole building. It is a shame that people have to live in those conditions. I wanted to bring that up to your attention. I know it is probably going to upset Code Enforcement.

Moe Rayan replied do you have any place in particular that we can take a look at?

Mr. O'Connor said 190 Sycamore, Leechburg Garden Apartments, mostly all of the buildings, Alcoma is pretty good. I think what they are doing is clearing out Relative, Creek Edge, Hulton Road them units across from Hulton Arbors because we have served a lot of eviction notices down there and probably that place is about 10% occupied right now. I think they might be getting ready to do something down there all together. It is a

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total disaster also. I think when they go in there to do Occupancy Permits for Leechburg Gardens they should look at everything not just the one unit they are going in that somebody was thrown out of three months ago and they went in and fixed it up all nice and pretty. The rest of the building is junk. It is a shame. Part of our section 8 wrong. They don't put the pressure on the people who own the buildings. Bring them up and keep them up to standard.

Moe replied O.K. I will follow up with Code Enforcement.

ADJOURNMENT

Deputy Mayor Mrs. Kuhn entertained motion to adjourn.

Dr. Kincaid made motion to adjourn.

Mr. Palumbo seconded the motion.

Meeting adjourned at 8:06 P.M.

EXECUTIVE SESSION

Personnel

MAUREEN M. SORCE
MANAGER'S SECRETARY

DATE