

May 7, 2012 COUNCIL MEETING MINUTES

The May 7, 2012 Council Meeting was called to order at 7:34 P.M. in Council Chambers at the Municipal Building. Mayor Anthony DeLuca presiding.

APPROVAL OF AGENDA ITEMS

Good Evening, under Ordinances we are going to delete **Ordinance No. 2545**, the rest of the Agenda will stand as presented. Will you please stand for the Pledge of Allegiance.

ROLL CALL

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

Also present were Manager Rayan, Secretary Sorce, Planning Director Davidson, Solicitor Alexander and Finance Director Schrecengost.

APPROVAL OF MINUTES

Mr. Underwood made a motion to approve the **Minutes for April 16, 2012**.

Mr. Palumbo seconded the motion.

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

EXPENDITURES:

Dr. Kincaid made a motion to approve the Expenditures: Approval of Warrants dated May 7, 2012. Journal Vouchers 0 in the amount of \$0, C.D. Requisitions 9 in the amount of \$11,167.12; EECBG Requisitions 0 in the amount of \$0; Master 20962-21161 in the amount of \$975,421.23; Grand Total \$986,588.35.

Mr. Underwood seconded the motion.

Mrs. Kuhn – I have a question, I see Rick is not here tonight but it was on page 10 – Gateway Engineers, Check #2983 – it says Capital Road Program Moe is that the Capital Road Program that we had initiated a while ago?

Moe – no this is the Annual Paving Program.

Mrs. Kuhn – and the other one is check #21120 Lime Hollow Analysis. I am not sure what was done on Lime Hollow. Is that where all the trees were being cut down?

Moe – analysis of the reading of the monitors, overflow monitors and so on and approximate mediation to that line itself.

Mrs. Kuhn – is that the manhole at Springdale and Lime Hollow?

Moe – it is the whole line it is three different segments – what Gateway is trying to do is segmenting the whole line – it is in that area from Springdale going down to Lime Hollow – yes.

Mrs. Kuhn – o.k. because I know when there is a heavy rain the water coming down Lime Hollow and Springdale goes to that catch basin I guess that is what it is called right at the end where they intersect and that usually floods out and I was wondering if that was what it was pertaining to so that is just part of the project?

Moe – it is part of the project, yes and that project a decision hasn't been made yet on which option we are going to go with as far as which segment is going to be done first but the whole line needs done and it is just a matter of deciding what part of the problem we are going to start with.

Mrs. Kuhn – o.k. thanks Moe. The other one is on page 25, check #21097 which I ask every time it is on the expenditures – will DeNinno and Whiteford ever go away in my lifetime.

Moe – actually it keeps getting worse Mrs. Kuhn.

Mrs. Kuhn – alright, thank you very much.

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

Mrs. Kuhn abstained from check #21130 to Don Kuhn Auto Body for \$600.00 yes to all others.

RESOLUTIONS

Mr. Palumbo made a motion to approve **Resolution No. 2012-027** awarding a contract to Lutterman Excavating for the demolition of certain structures for The Penn Hills 2012 Demolition Package Number 1 Project.

Mr. Underwood seconded the motion.

Gladys Nesbitt – what are the addresses there please?

Howard Davidson – it starts with 129 East Lemington, 1839 Funston, 1843 Funston, 1849 Funston, 1727 Lime Hollow, 7211 Mt. Carmel, 7225 Mt. Carmel, 8233 Nadine, 1845 Runnette, 8873 Westwood.

Gladys Nesbitt – one on Runnette?

Howard Davidson – the address is 1845.

Mayor DeLuca – Howard these are all the houses when code looked at they were beyond repair?

Howard Davidson – yes, they are beyond repair. They are all tax delinquent and ownership is a difficulty to track them down.

Marcia Cereza – 1161 N. Wheeler – how soon will they get to the demolition after this passes?

Howard Davidson – I believe this contract is 90 days. I think you can expect them to have about a week or ten days of paper work and then get to the work within the next 30 days after that.

Dr. Kincaid – relevant to the third set 2151 Sampson Street that house is on that list however the house next door to it 2149 Sampson neighbors have complained about that house for years finally they moved the car I don't know the circumstances but the house is just deplorable I don't know why it is not on this list no. 1 and no. 2 you can answer both questions same time when a house such as 2151 Sampson is raised how do we handle the environmental concerns and the rodent concerns? I am not savvy on what happens there.

Howard Davidson – environmental concerns is the responsibility of the contractor for single family homes they are also responsible for disconnecting all utilities, contacting all the utility companies, baiting for rodents. I will check 2149 Sampson Street. Just so Council knows I have another 15 on top of my desk right now. It is a problem; we have a backlog to a certain extent. We are going to try and demolish thirty a year. These are homes that have been abandoned by the families, they don't want to invest the money, and they are buying new homes instead. The older people that owned them either moved into a home, have passed away and the younger children just don't want them. It is unfortunate but if you remember the survey when we surveyed the residents of Penn Hills what is one of the things they asked us to do on top of the list was demolish homes that need to be demolished. We are keeping up with it.

Mayor DeLuca – real quick Howard I know we already had it demolished the one on Verona Road where the attorney sold it did he pay for that?

Howard Davidson – he lost 2 out of 3 rounds. I hope it doesn't become another Whiteford and DiNinno type of case but he has lost his rounds in court. We have

prosecuted him for violating our building codes and selling a house on the internet improperly without occupancy permits and he is a lawyer and he should have known better. He lost.

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

Mr. Underwood made a motion to approve **Resolution No. 2012-028** awarding a contract to JR Paving & Construction Company, Inc. for the demolition of certain structures for The Penn Hills 2012 Demolition Package Number 1 Project.

Dr. Kincaid seconded the motion.

Marcia Cereza – 1161 N. Wheeler – We have these packets and we have the addresses on the list and I noticed that after we did the first packet while we were doing that we referenced the second list. Are you voting on them all together or are you separating them. When he referenced 2149 we were not on that packet at that time and I just wondered do you often jump like that or take packet by packet so we can stay with you and see what is going on?

Mayor DeLuca – yes he just had a question on it. Normally we will stay on it but since it all deals with the demolition we just skipped around but is you have any questions on any of them just let us know. O.K.

Marcia Cereza – 1161 N. Wheeler – o.k. thank you.

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

Mrs. Kuhn made a motion to approve **Resolution No. 2012-029** awarding a contract to Massarelli Excavating, LLC., for the demolition of certain structures for The Penn Hills 2012 Demolition Package Number 1 Project. And for the audience I will list it as 922-924 Old Coal Hollow Road and 5018 Verona Road.

Dr. Kincaid seconded the motion.

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

Mr. Palumbo made a motion to approve **Resolution No. 2012-030** authorizing destruction of certain Municipal Records in accordance with The Pennsylvania Municipal Records Manual.

Dr. Kincaid seconded the motion.

Mrs. Kuhn – just to make sure these are listed as financial department documents and purchasing department documents we aren't getting rid of any of the minutes because for the public we have to keep those.

Moe - correct.

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

Dr. Kincaid made a motion to approve **Resolution No. 2012-031** awarding a contract to Protech Asphalt Maintenance, Inc. for the Dog Park Paving Project – 2012.

Mickey O'Connor – 1095 Maple Avenue –Funding Source?

Moe – DCED Grant through Representative DeLuca's Office.

Mickey – o.k. it was a grant, thank you. He does like dogs.

Mr. Underwood seconded the motion.

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

Mr. Underwood made a motion to approve **Resolution No. 2012-032** adopting The Municipality of Penn Hills Cafeteria Plan.

Dr. Kincaid seconded the motion.

Mrs. Kuhn – needless to say I didn't read both these packets so I am not going to ask any questions on those, but I did want to for the public the little bit that I know this is an internal revenue code that we have to adopt am I correct right and this is basically allowing eligible employees to pay his or her share of contributions under one or more of the insurance plan as pre-tax saving reduction. If that correct?

Moe – yes that is correct.

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

Mr. Palumbo made a motion to approve **Resolution No. 2012-033** authorizing The Submission of the Consolidated Annual Performance and Evaluation Report to The Department of Housing and Urban Development.

Dr. Kincaid seconded the motion.

Mrs. Gladys Nesbitt – I would like to have the Council and Mayor look at some pictures that I have of my houses in my neighborhood that are not on the list. On page 47 on the action plan they speak of how troubled the houses are in some areas and it makes the whole Penn Hills look pretty bad so those pictures are an example of what we are talking about. It says we can eliminate the negative influence by building new homes and tearing down the old ones. So we had suggested that when these houses are torn down on Mt. Carmel Road what is known as the corridor and construction for new residential units can begin on these lots that would expel the

negative influence and instill a positive influence on Penn Hills as a whole. On page 59 on the action plan 2012-2013 the last line they are speaking of if the Mayor and Council pass an Ordinance to provide in the form of a LERTA Program for construction of new residential units. We were wondering if there was a time frame or what.

Mayor DeLuca – the LERTA Program is already in effect. What you have to do is find a developer that wants to build a house.

Gladys Nesbitt – I thought that was the Planning Department’s job to find developers.

Howard Davidson – It is neither Council’s job nor the Planning Department’s job to build housing. What we try to do is set the stage for it. What council has done is by passing the LERTA Program is setting the stage for it. What it does is enable a developer to come and build a home and get a tax incentive to do it. HUD won’t give the Municipality of Penn Hills money to build new housing. We operated the Community Development Program for 37 years now and you have yet to see us build a home with that CD Money.

Gladys Nesbitt – you tried one on Cavella and that didn’t work.

Howard Davidson – we tried to encourage other people to do it and we will continue to do that and the LERTA Program is one way that we try. The other way is the demolition program, we try to get the old houses out of the way to encourage a developer to build a new house so we will engage in those types of activities where we can and again to repeat the LERTA Program is available to anyone it doesn’t have to be a developer could be an individual family to buy a vacant lot and build a home they could come in and apply for LERTA to build that home but we can’t do it for them.

Gladys Nesbitt – o.k. how did the houses on Chaske Street get rebuilt.

Howard Davidson – the developer approached us. He applied for special HUD money to help bring down the cost of the housing. It was a wonderful project.

Gladys Nesbitt – o.k. I won’t put much pressure on you but your mission says you are to make sure for the quality of life for everyone so that is why I asked you.

Howard Davidson – I have a mission to try and improve the quality of life in Penn Hills I agree with that.

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

REPORTS

Mrs. Kuhn – I just want to report that on April 23, 2012 I attended a meeting with Chris Blackwell from the Planning Department and John McCafferty from Code

Enforcement at Zion Lutheran Church in regards to some of the Code problems that are in the area. There were quite a few people there it was very informative. There were a lot of questions and I will have to say Chris Blackwell I think did a very professional job and was a very good representative for the Mayor and Council in the way that he presented all the information to the people of the Crescent Hills. I did say to them though which I say often to everyone information is the most important misinformation is the most damaging and the only problem that I did have and I did mention it to John and Chris afterwards was the comment came up about how many Code Enforcement Officers we have and the answer went back to the public that the Code Enforcement is down by three and they didn't elaborate that it wasn't because Mayor and Council was no part of the three that were lost. So for a few minutes they were a little out of hand where they wanted to tar and feather Mayor and Council because they thought Mayor and Council took three positions from Code Enforcement out of the budget so I did explain to the audience that that was not the case that one person had retired and that two people had left and they were in litigation and we couldn't respond on that. But I did want them to understand that Mayor and Council did not cut Code Enforcement by 50%. I know that there was a certain problem on one of the houses and they were questioning as to what the process was and how it went about once they were sited and I am very familiar with it because of the fact serving on planning for almost ten years as I had and I did explain to them that it might be frustrating but that Code Enforcement has procedures that they have to go through and it is time consuming and that it does go to the Magistrate. So It was my understanding that the Magistrate did hear this certain complaint this Friday and it is my understanding that it was suggested because there was quite a few people from the area that went to the hearing and it was suggested that maybe the people in this area could help this woman out in taking care of her property and she agreed that she would permit them to help her so it was extended I think for thirty days to see and if she doesn't permit them to do what she said she would then I guess we will go on from there. It was very informative and a lot of things that were asked were answered and I think they had a misunderstanding and once they understood the process I think they settled in and were more satisfied at what took place.

Marcia Cereza – 1161 N. Wheeler – Since Code Enforcement is down by two what are we going to do to rectify that so they are not overworked.

Mayor DeLuca – as soon as we get some personnel issues resolved we will be hiring back.

Marcia Cereza – I have another question. When we were talking about **Resolution No. 2012-030** we were talking about the destruction of certain municipal records do you have an outside entity that is going to do this?

Moe Rayan – we are going to put them through the shredder.

Marcia Cereza – o.k. but do you have a safe guard I am saying so that important papers are not accidentally shredded and then needed later on and we have no record of them.

Moe Rayan – our Finance Department and our Purchasing Department personnel go through all the paperwork and make sure that the right stuff is getting shredded.

Mayor DeLuca – on May 19th at The Lincoln Park Community Center they are having a peace rally, it will be starting at 1:00 P.M. so I would like to get the word out for that and also Sergeant Manning wanted to thank Council for supplying the dirt for the North Bessemer Field if you haven't been down there it is beautiful what they did with the field. Actually I was talking to him today and apparently we are getting teams from outside of Allegheny County that want to play on that field so they really did a great job on that field.

ADJOURNMENT

Mayor DeLuca entertained a motion to adjourn.

Mr. Palumbo made a motion to adjourn.

Mr. Underwood seconded the motion.

Meeting adjourned at 8:02 P.M.

Maureen M. Sorce
Manager's Secretary

Date

